

## CERTIFIED TRUE COPY

In the Matter of the Condemnation of Certain Rights  
in Land by the Iowa Department of Transportation  
for the Improvement of

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

APPLICATION TO THE CHIEF JUDGE  
OF THE 5TH JUDICIAL DISTRICT  
FOR THE APPOINTMENT OF A  
COMMISSION TO APPRAISE DAMAGES

Project No. STP-141-6(37)--2C-25 Group "G"

TO: Richard D. Morr, Chief Judge, 5th Judicial District including Dallas County, Iowa.

Comes now the Iowa Department of Transportation and states that the public interest requires that certain rights be acquired in Agricultural land by Condemnation proceedings. The Iowa Department of Transportation, acting on behalf of the State of Iowa and/or its political subdivisions, has not been able to secure rights in lands by purchase and conveyance for the improvement of roads and streets. In accordance with Sec. 68.3 the Code of Iowa, the following is set forth:

**Description:** The lands and/or property rights sought to be condemned or affected are described on the attached Notice of Condemnation which is made a part of this Application.

**Plat:** The location of the right of way or other property rights sought to be condemned or affected are shown on the plat(s) attached to and a part of the attached Notice of Condemnation.

**Names and Addresses:** The names and addresses of the record owners, lienholders, encumbrancers, and other persons affected by this proceeding are listed on the attached Notice of Condemnation.

**Purpose:** The Department of Transportation desires the rights specified in the lands sought to be condemned for road right of way and/or access control and/or for highway drainage and/or obtaining and removing gravel or other suitable material for the improvement and/or maintenance of roads and streets within the State of Iowa.

**Agricultural Land:** A part of the lands sought to be appropriated may be classified as Class I or Class II within an agricultural area and, if so classified, is reasonably necessary for this internal improvement.

**Request:** NOW, THEREFORE, the Iowa Department of Transportation hereby requests the appointment of a compensation commission of six qualified persons to view the premises and appraise the damages which the owners, lienholders, encumbrancers, and other persons affected will sustain by reason of this Condemnation.

Dated at Ames, Iowa, this 24 day of May, 1995.

Entered for Taxation the

Day of

August 1995

Auditor

Book 15 Page 215

81-27

IOWA DEPARTMENT OF TRANSPORTATION  
DAVID A. FERREE  
Special Assistant Attorney General  
and General Counsel to the Iowa DOT

ROBERT L. NORTH  
Right of Way Director

By Bernie Jorgensen  
Bernie Jorgensen  
Condemnation Unit Coordinator

Filed in my office at Des Moines Iowa, this 24 day of May, 1995.

Richard D. Morr  
Richard D. Morr  
Chief Judge of the 5th Judicial District  
including Dallas County, Iowa.

I certify that this Application for Condemnation has been approved by the Chief Judge.

Bernie Jorgensen  
Bernie Jorgensen  
Condemnation Supervisor

BOOK 8 PAGE 294

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BOOK 8 FILED  
PAGE 294  
95 AUG -8 PM 1:59

CAROL HOL  
COUNTY RECORDER  
DALLAS CO. IOWA

RECORDING  
34.00

In the Matter of the Condemnation of  
Certain Rights in Land by the Iowa  
Department of Transportation for the  
Improvement of

Primary Road No. 141 south

NOTICE

of the City of Woodward

located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25

Group "G"

TO:

Leonard John Gosch, also known as John Gosch, 1004 45th Street, West Des Moines, Iowa  
Noreen N. Gosch, also known as Norene N. Gosch, 1258 Office Park Road, Apt. 2, West Des Moines, Iowa  
United States Bankruptcy Court for the Southern District of Iowa, Case No. 94-2772C, c/o Barbara G. Stuart,  
United States Trustee, 210 Walnut Street, Suite 517, Des Moines, Iowa  
United States Bankruptcy Court for the Southern District of Iowa, Case No. 94-2772C, c/o Thomas L. Flynn,  
Trustee, 2000 Financial Center, Des Moines, Iowa  
AgAmerica, FCB, formerly known as Farm Credit Bank of Omaha, c/o H. Dale Huffman, Senior Attorney, Farm  
Credit Services, 208 South 19th Street, Omaha, Nebraska  
Dallas County, Iowa, c/o County Auditor, Adel, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described  
real estate:

The NE¼ NE¼ of Sec. 13, T81N, R27W of the 5th P.M., Dallas County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in land more specifically  
described as follows and shown with reference to their location as to lands affected on the plats Exhibits "A" and  
"B" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Dallas  
County, Iowa, and in the Office of the Sheriff of Dallas County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the NE¼ NE¼ of Sec. 13, T81N, R27W of the 5th P.M., Dallas County, Iowa, as  
shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

Dallas County Project No. STP-141-6(37)--2C-25  
Leonard John Gosch, et ux (Parcel 21A)  
Continued on next sheet.

Sheet 1

Said parcel is described as follows:

Beginning at the NE Corner of said Sec. 13; thence  $S00^{\circ}33\frac{1}{2}'W$ , 159.8 ft. along the east line of said Sec. 13; thence  $S89^{\circ}58\frac{1}{2}'W$ , 1326.9 ft. to the west line of the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of said Sec. 13; thence  $N00^{\circ}26'E$ , 161.3 ft. along said west line to the north line of the NE  $\frac{1}{4}$  of said Sec. 13; thence  $S89^{\circ}57\frac{1}{2}'E$ , 1327.3 ft. along said north line to the Point of Beginning; containing 4.89 acres, of which 1.64 acres are within existing road right of way.

The access rights in fee simple title sought to be appropriated are described as follows:

All rights of direct access between Primary Road No. 141 and condemnees' remaining property abutting thereon from Sta. 947+26.6 $\pm$  (Property Line) to Sta. 960+53.2 $\pm$  (Property Line), on the south side, reserving to the condemnees the right of direct access at Sta. 947+26.6 $\pm$  (Property Line), on the south side.

In connection with this condemnation proceeding it is specifically provided as follows:

1. Any and all improvements, including fences, if any, located wholly within the land sought in fee simple title are condemned in their entirety.
2. The State of Iowa shall have a right of temporary easement, for the specific purpose of shaping backslope, in land described as follows and as shown on the plat Exhibit "B" attached hereto and by reference made a part hereof:

Commencing at the NE Corner of said Sec. 13; thence  $S00^{\circ}33\frac{1}{2}'W$ , 159.8 ft. along the east line of the NE  $\frac{1}{4}$  of said Sec. 13, to the southerly line of the land sought in fee simple title; thence  $S89^{\circ}58\frac{1}{2}'W$ , 552.6 ft. along said southerly line to the Point of Beginning; thence  $S00^{\circ}00\frac{1}{2}'W$ , 24.7 ft.; thence  $N89^{\circ}59\frac{1}{2}'W$ , 300.0 ft.; thence  $N00^{\circ}00\frac{1}{2}'E$ , 24.6 ft. to said southerly line; thence  $N89^{\circ}58\frac{1}{2}'E$ , 300.0 ft. along said southerly line to the Point of Beginning.

3. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing entrances, in land described as follows and as shown on said plat Exhibit "B".

Commencing at the NE Corner of said Sec. 13; thence  $S00^{\circ}33\frac{1}{2}'W$ , 644.0 ft. along the east line of the NE  $\frac{1}{4}$  of said Sec. 13; thence  $N89^{\circ}37\frac{1}{2}'W$ , 33.0 ft. to a point on the presently established westerly right of way line of the County Road, the Point of Beginning; thence continuing  $N89^{\circ}37\frac{1}{2}'W$ , 25.7 ft.; thence  $N01^{\circ}50\frac{1}{2}'E$ , 65.6 ft.; thence  $S84^{\circ}13\frac{1}{2}'E$ , 24.4 ft. to a point on said westerly right of way line; thence  $S00^{\circ}33\frac{1}{2}'W$ , 63.3 ft. along said westerly line to the Point of Beginning.

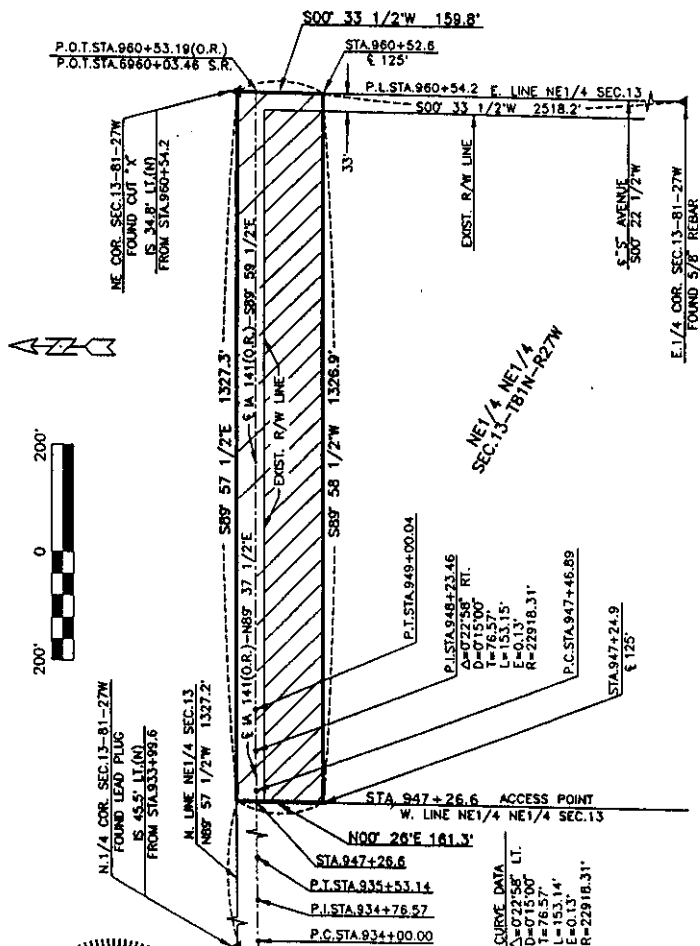
Also, commencing at the NE Corner of said Sec. 13; thence N89°57½'W, 1327.3 ft. along the north line of the NE¼ of said Sec. 13 to the west line of the NE¼ NE¼ of said Sec. 13; thence S00°26'W, 161.3 ft. along said west line to the southerly line of the land sought in fee simple title, the Point of Beginning; thence N89°58½'E, 50.0 ft. along said southerly line; thence S00°18½'E, 19.7 ft.; thence S89°38½'W, 50.2 ft. to said west line; thence N00°26'E, 20.0 ft. along said west line to the Point of Beginning.

4. Any drain tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.
5. The areas sought to be appropriated by temporary easement, for the specific purpose of shaping backslope, constructing entrances, relocating, replacing, or restoring tile, if any, are reserved to the condemnees until the actual date said areas are required for construction of this highway improvement. Also, said temporary easement rights shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than the completion of this highway improvement.



IOWA DEPARTMENT OF TRANSPORTATION  
ACQUISITION PLAT  
EXHIBIT "A"

COUNTY DALLAS STATE CONTROL NO. 10-00  
PROJECT NO. STP-141-6(37)--2C-25 PARCEL NO. 21A  
SECTION 13 TOWNSHIP 81N RANGE 27W  
ROW - FEE 4.89 AC, EASE AC, EXCESS-FEE AC  
ACQUIRED ACCESS RIGHTS FROM STA. 947+26.6 TO STA. 960+53.2 MAIN LINE SOUTH SIDE  
ACQUIRED ACCESS RIGHTS FROM STA. 947+26.6 TO STA. 960+53.2 SIDEROAD SIDE  
ACQUIRED FROM LEONARD JOHN GOSCH, ET UX



\* ACQUISITION

NE 1/4 NE 1/4 SEC. 13 - 3.25 TAX AC. + 1.64 AC. EXIST. R/W = 4.89 AC.  
TOTAL 3.25 TAX AC. + 1.64 AC. EXIST. R/W = 4.89 AC.



I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE LAND HEREIN DESCRIBED, MADE BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

DALE E. MILLER, P.E. & L.S. U. REG. NO. 9517  
My registration renewal date is December 31, 1995

DATE 12/12/94

BOOK B PAGE 298

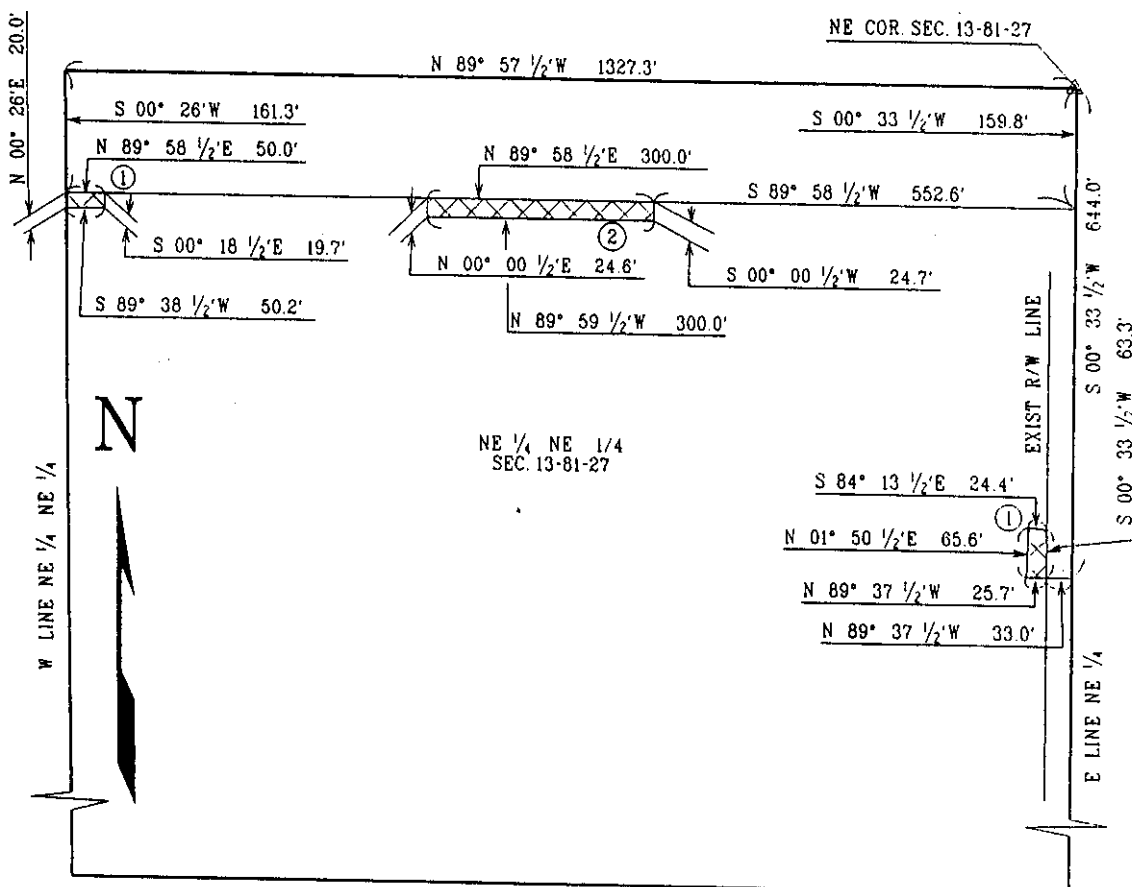
FORM 874-077  
1-93

IOWA DEPARTMENT OF TRANSPORTATION  
ACQUISITION PLAT  
EXHIBIT "B"



COUNTY DALLAS STATE CONTROL NO. 10-00  
PROJECT NO. STP-141-6(37)--2C-25 PARCEL NO. 21A  
SECTION 13 TOWNSHIP 81N RANGE 27W  
ROW-FEE \_\_\_\_\_ AC, EASE \_\_\_\_\_ AC, BORROW \_\_\_\_\_ AC, EXCESS-FEE \_\_\_\_\_ AC  
ACQUIRED FROM LEONARD JOHN GOSCH, ET UX

- ① TEMPORARY EASEMENT TO CONSTRUCT ENTRANCE
- ② TEMPORARY EASEMENT TO SHAPE BACKSLOPE



0 100 200  
SCALE IN FEET



## Iowa Department of Transportation

800 Lincoln Way, Ames, Iowa 50010 (515) 239-1213

May 31, 1995

Arthur Johnson  
Dallas County Sheriff  
P.O. Box 229  
Adel, Iowa 50003

RE: Dallas County Condemnation STP-141-6(37)--2C-25 "G"

Dear Sheriff Johnson:

Enclosed are the following papers in connection with the above-captioned condemnation proceeding set for hearing on July 7, 1995.

1. "CERTIFIED TRUE COPY" of the APPLICATION TO CHIEF JUDGE
2. SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONERS
3. SUPPLEMENTARY ORDER APPOINTING ALTERNATE COMPENSATION COMMISSIONERS
4. SUMMONS TO COMMISSIONERS (two copies for each commissioner).  
Please notify each commissioner of their selection and of the day and hour when they will be required to proceed with the appraisal. Have each commissioner sign and return one copy of the SUMMONS prior to the hearing for your records. (Sec. 6B.11). Notices are attached to commissioner's copy.
5. OATH OF COMMISSIONERS. Each commissioner must execute this oath prior to the hearing. Their signature must be acknowledged by a Notary Public or Clerk of the District Court (Sec. 6B.7).
6. SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS (three copies, two of which are to be returned to this office when completed). Each copy must be signed by the Sheriff.
7. CONDEMNATION COMMISSIONERS STATEMENT (six copies, one for each commissioner for stating their fees and expenses). Each commissioner must sign this statement.
8. NOTICE OF CONDEMNATION. Please serve each listed condemnee with a complete notice. Notices must be served at least ten (10) days prior to the date of the hearing. (Sec. 6B.8). Your return of service should be made on the copy to be retained for your files (Sec. 6B.11).

BOOK 8 PAGE 300

PARCEL 21A - See Page 4

All Notices to out-of-county condemnees are being mailed to the proper Sheriff for service and the Returns of Service will be forwarded to you upon our receipt of same.

Affidavit for Publication is enclosed. Notice to the interested parties is being published in the Dallas County News once each week for four (4) consecutive weeks, beginning with the issue of June 1, 1995.

If you are unable to serve any of the above condemnees, please notify this office immediately by phoning (515) 239-1029.

Should any commissioner be unable to serve, please contact one of the alternate commissioners and notify this office of who can serve. If neither of the alternates can serve, please notify this office for a substitute commissioner.

THE FOLLOWING PAPERS MUST BE RETAINED BY YOU IN A SEPARATE FILE FOR RECORDING:

1. "CERTIFIED TRUE COPY" of the APPLICATION TO CHIEF JUDGE
2. SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONERS
3. SUPPLEMENTARY ORDER APPOINTING ALTERNATE COMPENSATION COMMISSIONERS or substitute compensation commissioners appointing them and summons served on them.
4. The signed copy of the SUMMONS TO COMMISSIONERS for each original, alternate or substitute commissioner.
5. OATH OF COMMISSIONERS, signed by all six commissioners. Their signatures must be acknowledged by a Notary Public or Clerk of District Court (Sec. 6B.7).
6. The signed copy of the SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS (Sec. 6B.33).
7. CONDEMNATION COMMISSIONER'S STATEMENT, one signed statement from each commissioner.
8. ALL NOTICES OF CONDEMNATION with returns of service in the condemnation, including any Notices of Appeal.
9. PROOF OF PUBLICATION (if there have been any publications) as well as all AFFIDAVITS in connection therewith.
10. AFFIDAVIT OF FINAL OFFER (Sec. 6B.33).



11. The original of the REPORT OF COMPENSATION COMMISSIONER signed by each commissioner and certified by the Sheriff (Sec. 6B.14). Two copies shall be returned to the Department of Transportation representative.
12. The original of the ENDORSEMENT OF SHERIFF OF MAILING OF NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL must be endorsed and certified by the Sheriff at the time of mailing (Sec. 6B.18).
13. The original of the NOTICE OF APPRAISEMENT OF DAMAGES and TIME FOR APPEAL endorsed by the Sheriff. A written notice in the form of a copy of the original NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL must be mailed to each condemnee (Sec. 6B.18).

The preceding four forms will be brought to the hearing by the Iowa Department of Transportation Representative.

14. You will also be required to record all other papers filed in connection with said condemnation proceedings and provide a written statement by the Sheriff of all monies received in payment of damages, from whom received, and to whom paid, and the amount paid to each claimant.

PLEASE NOTE THAT:

1. Thirty days after the date of mailing the Notice of Appraisement of Damages the Sheriff shall file the condemnation proceedings with the County Recorder of the county in which the condemned land is situated (Sec. 6B.35). Prior to your recording, this office will provide you with the recording data of the original Certified Application For Condemnation by book and page or instrument number and the date. Please make this reference on the Sheriff's Certification as to Awards and Costs.
2. If an appeal is taken (within these 30 days) the Sheriff shall at once file with the Clerk of the District Court a certified copy of as much of the assessment as applies to the part from which the appeal is taken (Sec. 6B.20). Again, the original condemnation papers will be filed with the County Recorder.

If you have any questions, please contact the Office of Right of Way, Condemnation Section, Iowa Department of Transportation, Ames, Iowa, at (515) 239-1029.

Sincerely,

ROBERT L. NORTH  
Right of Way Director



Bernie Jorgensen  
Condemnation Supervisor  
Office of Right of Way

RLN:BJ:kd  
Enclosures

PARCEL 21A

Leonard John Gosch, 1004 45th Street, West Des Moines, Iowa  
Noreen N. Gosch, 1258 Office Park Road, Apt. 2, West Des Moines, Iowa  
United States Bankruptcy Court for the Southern District of Iowa, c/o Barbara  
G. Stewart, United States Trustee, 210 Walnut Street, Suite 517, Des Moines,  
Iowa  
United States Bankruptcy Court for the Southern District of Iowa, c/o Thomas  
L. Flynn, Trustee, 2000 Financial Center, Des Moines, Iowa  
AgAmerica, FCB, c/o H. Dale Huffman, Senior Attorney, Farm Credit Services,  
208 South 19th Street, Omaha, Nebraska  
Dallas County, Iowa, c/o County Auditor, Adel, Iowa



## Iowa Department of Transportation

800 Lincoln Way, Ames, Iowa 50010 (515) 239-1213

May 30, 1995

Carol Hol  
Dallas County Recorder  
Adel, Iowa 50003

#3631

RE: Dallas County Condemnation STP-141-6(37)--2C-25 "G"

Dear Ms. Hol:

Enclosed is the original Certified Application for Condemnation which has been approved by the Chief Judge. In accord with Sec. 6B.3(7) the Iowa Department of Transportation is to file the original approved Application with the County Recorder in the manner required under Section 6B.37.

Please file and index this Application in the record of deeds.

Also, please complete and sign the following statement and promptly return this letter to the undersigned in the self-addressed stamped envelope provided.

STATE OF IOWA

COUNTY OF

I, Carol Hol, Recorder of Dallas County, do hereby certify that the original certified approved Application for Condemnation was filed in my office on the 1 day of June, 1995, and is RECORDED IN BOOK 8, ON PAGES 105-110, of the records of said county, as provided by law.

I certify that the fee for recording of these papers is in the amount of \$31.00 and that said amount is legally payable and that the claim is correct and just and that payment has not been received.

Carol Hol  
County Recorder

If you have any questions regarding the above, please contact this office at (515) 239-1029. Thank you for your cooperation in this matter.

Sincerely,

ROBERT L. NORTH  
Right of Way Director

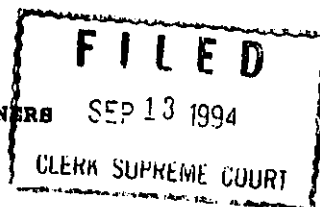
Bernie Jorgensen

Bernie Jorgensen  
Condemnation Supervisor  
Office of Right of Way

Enclosures

BOOK 8 PAGE 304

INSTRUCTIONS TO CONDEMNATION COMMISSIONERS  
FROM THE CHIEF JUSTICE  
OF THE IOWA SUPREME COURT



You have been selected as a compensation commission to determine and assess damages to property condemned for a public use under the power of eminent domain.

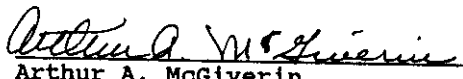
Pursuant to the provisions of Iowa Code section 6B.43 (1993), you are instructed as follows:

1. The Constitution prohibits the taking of private property for a public use without just compensation. Governmental units and certain utilities are authorized by statute to condemn private property for a certain use thereof for public purposes. It is your duty to fix a just compensation for that taking or use. You shall arrive at such compensation in a fair and impartial manner and on an independent basis. No commissioner shall possess any interest in the proceeding which would cause such person to render a biased decision.
2. The property owner is entitled to be made whole but double recovery is not allowed. Where the entire property unit is taken, the measure of damages is the fair market value of the property immediately before the condemnation and before such value has been affected by the proposed public use. Where only a portion of the property unit is taken, including certain rights such as an easement, the measure of damages is the difference between the fair market value of the property as a whole immediately before condemnation and before it has been affected by the proposed public use and the fair market value of the remaining property after the taking. Any advantage or benefit which may accrue to the remaining property by reason of the public use is not to be considered. Substantially the same measure applies to damages to a leasehold.
3. Allowance shall be made to the owner for any personal property damaged or destroyed, for the cost of removing and replacing fences and removing buildings onto abutting property of the owner.

4. Allowance shall be made for cost, if any, of removing personal property a distance not to exceed 25 miles but not over \$500.
5. At the request of the condemner or the condemnee, the damages shall be divided into parts to indicate the value of any dwelling, the value of the land and improvements other than a dwelling, and the value of any additional damages.
6. You shall file with the sheriff a written report containing your appraisal.
7. In arriving at the fair market value of the property you shall not consider evidence or information regarding prior negotiations between the parties. However, when you report the commission's award to the sheriff, if it exceeds 110% of the condemner's final offer, the sheriff will so advise you and you will then determine and fix reasonable attorney fees and costs, if any, incurred by the condemnee in presenting the condemnee's case before your commission.
8. You will be in the charge of the sheriff who will administer the oath to you and furnish transportation to and from the site of the property or properties you are required to view.

These brief and general instructions do not contain all the issues which might confront you. The position of the parties or their attorneys on any additional problems may be explained to you at the time of the hearing.

Dated this 13th day of September, 1994.

  
 Arthur A. McGiverin  
 Chief Justice  
 Supreme Court of Iowa

Copies to:

All County Sheriffs

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

SELECTION AND APPOINTMENT  
OF COMPENSATION COMMISSIONERS  
BY THE CHIEF JUDGE OF THE  
5th JUDICIAL DISTRICT

An Application and Notice of Condemnation having been filed with me by the Iowa Department of Transportation for the selection and appointment, by lot, of six suitable persons as the law provides to act as a compensation commission to assess and appraise the damages sustained by reason of the condemnation of certain specified rights in certain land described by Applicant, in the Notice of Condemnation filed in the above entitled matter, I hereby designate, select, and appoint as the members of said compensation commission required in this matter the following persons:

NAME	ADDRESS	QUALIFICATIONS
Richard Connolly	Madrid - No	Licensed Real Estate Salesperson or Broker
Kevin Sandquist	Adel - yes	Licensed Real Estate Salesperson or Broker
Leslie Reynolds	Redfield - yes	Knowledgeable of Property Values by Virtue of Occupation
Gene Halling	Perry - yes	Knowledgeable of Property Values by Virtue of Occupation
Pat Manning	Granger - yes according to info	Agricultural
Donna Lauterbach	Van Meter - No	Agricultural

I further designate, select, and appoint, the above named Richard Connolly to act as Chairperson of said commission. Kevin Sandquist, 17th Chairperson

To the Sheriff of Dallas County, Iowa: Attached hereto please find a duplicate of the Application for Condemnation in the above-entitled matter.

Dated at Des Moines, Iowa, this 26 day of May, 1995.

Richard D. Morr  
Richard D. Morr  
Chief Judge of the 5th Judicial District  
including Dallas County, Iowa

Filed in my office at Adel, Iowa, this 2nd day of June, 1995.

Arthur Johnson  
Arthur Johnson  
Sheriff of Dallas County, Iowa

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

SUPPLEMENTARY ORDER  
APPOINTING ALTERNATE  
COMPENSATION COMMISSIONERS

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

An Application and Notice of Condemnation having been filed with me by the Iowa Department of Transportation, entitled as above, for the selection and appointment, by lot, of a duly constituted compensation commission, and said selection and appointment having been made by me, I further, DESIGNATE, SELECT, and APPOINT the following persons to serve as alternate members of said compensation commission, in the event that any of the said members having the same qualifications are unable to serve for any reason.

NAME	ADDRESS	QUALIFICATION
1. Barry Bengston Perry - yes		Licensed Real Estate Salesperson or Broker
2. Fletcher Jennings Van Meter		
1. Kenneth Hykes Adel		Knowledgeable of Property Values by Virtue of Occupation
2. Ced Glenn Adel		
1. Ronald Row Minburn		Agricultural
2. Carl Luett Perry yes		

The Sheriff of Dallas County, Iowa, shall have upon being informed of a vacancy in the compensation commission, notify an alternate member appointed having the same qualifications as the person unable to serve in the same manner as the original commissioners were notified.

Dated at Des Moines Iowa, this 26 day of May 1995.

Richard D. Morr  
Richard D. Morr  
Chief Judge of the 5th Judicial District  
including Dallas County, Iowa.

Filed in my office at Adel, Iowa, this 2nd day of June, 19 95.

Arthur Johnson  
Arthur Johnson  
Sheriff of Dallas County, Iowa

BOOK 8 PAGE 308

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

TO: \_\_\_\_\_

The Iowa Department of Transportation has filed with the Chief Judge of the 5th  
Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation  
for the selection of a Compensation Commission to assess the damages which owners,  
lienholders, encumbrances, and other persons interested in the land from which certain  
rights are sought to be appropriated by these proceedings will sustain by reason of such  
appropriation of the rights as described in the Application and Notice of Condemnation for  
the improvement and/or the maintenance of roads and streets and/or for highway drainage in  
Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the  
Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and  
such selection and appointment has been duly filed in my office and that  
Richard Connolly has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the  
office of the Sheriff at Adel, Dallas County, State of Iowa, on the 7th day of  
July, 1995, at 9:30 o'clock a.m. (DST) for the purpose of qualifying  
as such Commission, and proceed to view said premises and make an award of damages as by  
law provided.

  
Arthur Johnson  
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged  
at \_\_\_\_\_, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. I further certify that I  
do not possess any interest in the above proceedings which would cause me to render a  
biased decision therein.

Filed in my office at Adel, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Arthur Johnson  
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding  
which would cause me to render a biased decision, or for the reason that \_\_\_\_\_

Please sign original summons and return promptly to the Sheriff of \_\_\_\_\_ County.

BOOK 8 PAGE 309

RECEIVED  
95 JUN -9 AM 9:02  
DALLAS CO. SHERIFF



In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

TO: PAT MANNING

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Richard Connolly has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Adel, Dallas County, State of Iowa, on the 7th day of July, 1995, at 9:30 o'clock a.m. ( DST ) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Arthur Johnson  
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Adel, Iowa, this 28th day of July, 1995. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Pat D. Manning  
Filed in my office at Adel, Iowa, this 28th day of July, 1995.

Arthur Johnson  
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

Please sign original summons and return promptly to the Sheriff of County.

BOOK 8 PAGE 310

ATTENTION:

Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

TO: PAT MANNING

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Richard Connolly has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Adel, Dallas County, State of Iowa, on the 7th day of July, 1995, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Arthur Johnson  
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Iowa, this    day of   , 19  . I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Pat S. Manning

Filed in my office at Adel, Iowa, this    day of   , 19   .

Arthur Johnson  
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

Please sign original summons and return promptly to the Sheriff of County.

In the Matter of the Condemnation of  
Certain Rights in Land by the Iowa  
Department of Transportation for the  
Improvement of

Primary Road No. 141 south

NOTICE

of the City of Woodward

located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25

Group "G"

TO:

Leonard John Gosch, also known as John Gosch, 1004 45th Street, West Des Moines, Iowa  
Noreen N. Gosch, also known as Norene N. Gosch, 1258 Office Park Road, Apt. 2, West Des Moines, Iowa  
United States Bankruptcy Court for the Southern District of Iowa, Case No. 94-2772C, c/o Barbara G. Stuart,  
United States Trustee, 210 Walnut Street, Suite 517, Des Moines, Iowa  
United States Bankruptcy Court for the Southern District of Iowa, Case No. 94-2772C, c/o Thomas L. Flynn,  
Trustee, 2000 Financial Center, Des Moines, Iowa  
AgAmerica, FCB, formerly known as Farm Credit Bank of Omaha, c/o H. Dale Huffman, Senior Attorney, Farm  
Credit Services, 208 South 19th Street, Omaha, Nebraska  
Dallas County, Iowa, c/o County Auditor, Adel, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described  
real estate:

The NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 13, T81N, R27W of the 5th P.M., Dallas County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in land more specifically  
described as follows and shown with reference to their location as to lands affected on the plats Exhibits "A" and  
"B" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Dallas  
County, Iowa, and in the Office of the Sheriff of Dallas County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 13, T81N, R27W of the 5th P.M., Dallas County, Iowa, as  
shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

Dallas County Project No. STP-141-6(37)--2C-25

Sheet 1

Leonard John Gosch, et ux (Parcel 21A)

Continued on next sheet.

BOOK 8 PAGE 312

Dallas County Project No. STP-141-6(37)--2C-25  
Leonard John Gosch, et ux (Parcel 21A)

Sheet 2

Said parcel is described as follows:

Beginning at the NE Corner of said Sec. 13; thence  $S00^{\circ}33\frac{1}{2}'W$ , 159.8 ft. along the east line of said Sec. 13; thence  $S89^{\circ}58\frac{1}{2}'W$ , 1326.9 ft. to the west line of the  $NE\frac{1}{4}$  of said Sec. 13; thence  $N00^{\circ}26'E$ , 161.3 ft. along said west line to the north line of the  $NE\frac{1}{4}$  of said Sec. 13; thence  $S89^{\circ}57\frac{1}{2}'E$ , 1327.3 ft. along said north line to the Point of Beginning; containing 4.89 acres, of which 1.64 acres are within existing road right of way.

The access rights in fee simple title sought to be appropriated are described as follows:

All rights of direct access between Primary Road No. 141 and condemnees' remaining property abutting thereon from Sta. 947+26.6± (Property Line) to Sta. 960+53.2± (Property Line), on the south side, reserving to the condemnees the right of direct access at Sta. 947+26.6± (Property Line), on the south side.

In connection with this condemnation proceeding it is specifically provided as follows:

1. Any and all improvements, including fences, if any, located wholly within the land sought in fee simple title are condemned in their entirety.
2. The State of Iowa shall have a right of temporary easement, for the specific purpose of shaping backslope, in land described as follows and as shown on the plat Exhibit "B" attached hereto and by reference made a part hereof:

Commencing at the NE Corner of said Sec. 13; thence  $S00^{\circ}33\frac{1}{2}'W$ , 159.8 ft. along the east line of the  $NE\frac{1}{4}$  of said Sec. 13, to the southerly line of the land sought in fee simple title; thence  $S89^{\circ}58\frac{1}{2}'W$ , 552.6 ft. along said southerly line to the Point of Beginning; thence  $S00^{\circ}00\frac{1}{2}'W$ , 24.7 ft.; thence  $N89^{\circ}59\frac{1}{2}'W$ , 300.0 ft.; thence  $N00^{\circ}00\frac{1}{2}'E$ , 24.6 ft. to said southerly line; thence  $N89^{\circ}58\frac{1}{2}'E$ , 300.0 ft. along said southerly line to the Point of Beginning.

3. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing entrances, in land described as follows and as shown on said plat Exhibit "B".

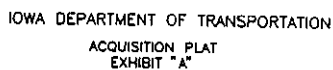
Commencing at the NE Corner of said Sec. 13; thence  $S00^{\circ}33\frac{1}{2}'W$ , 644.0 ft. along the east line of the  $NE\frac{1}{4}$  of said Sec. 13; thence  $N89^{\circ}37\frac{1}{2}'W$ , 33.0 ft. to a point on the presently established westerly right of way line of the County Road, the Point of Beginning; thence continuing  $N89^{\circ}37\frac{1}{2}'W$ , 25.7 ft.; thence  $N01^{\circ}50\frac{1}{2}'E$ , 65.6 ft.; thence  $S84^{\circ}13\frac{1}{2}'E$ , 24.4 ft. to a point on said westerly right of way line; thence  $S00^{\circ}33\frac{1}{2}'W$ , 63.3 ft. along said westerly line to the Point of Beginning.

Dallas County Project No. STP-141-6(37)--2C-25  
Leonard John Gosch, et ux (Parcel 21A)  
Continued on next sheet.

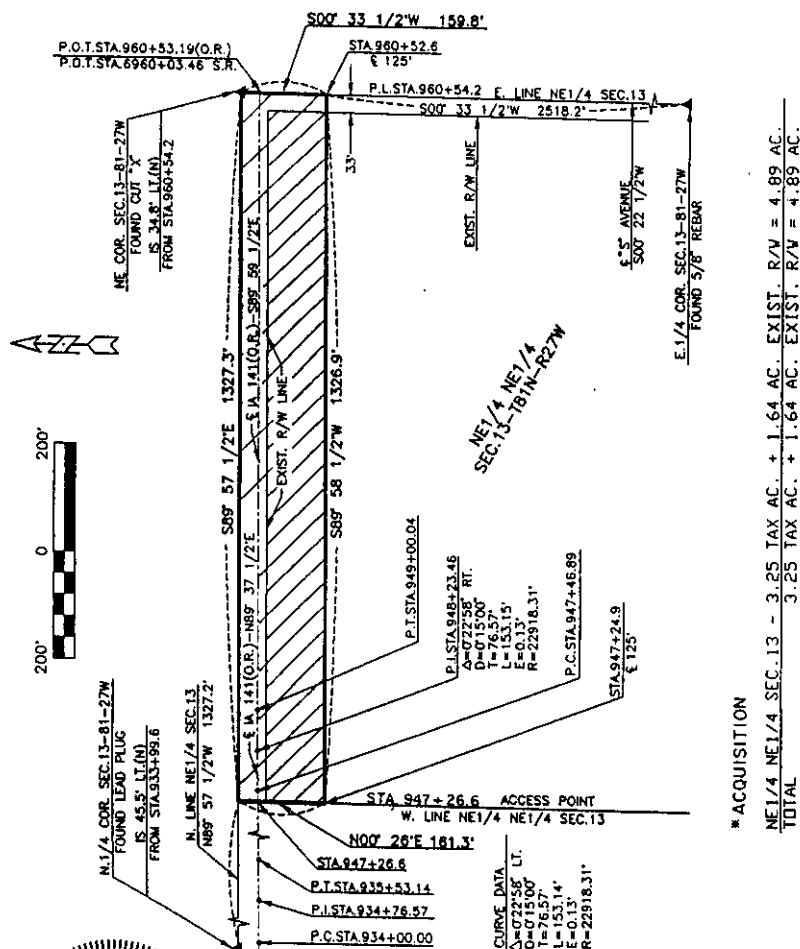
Sheet 2

Also, commencing at the NE Corner of said Sec. 13; thence N89°57½'W, 1327.3 ft. along the north line of the NE¼ of said Sec. 13 to the west line of the NE¼ NE¼ of said Sec. 13; thence S00°26'W, 161.3 ft. along said west line to the southerly line of the land sought in fee simple title, the Point of Beginning; thence N89°58½'E, 50.0 ft. along said southerly line; thence S00°18½'E, 19.7 ft.; thence S89°38½'W, 50.2 ft. to said west line; thence N00°26'E, 20.0 ft. along said west line to the Point of Beginning.

4. Any drain tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.
5. The areas sought to be appropriated by temporary easement, for the specific purpose of shaping backslope, constructing entrances, relocating, replacing, or restoring tile, if any, are reserved to the condemnees until the actual date said areas are required for construction of this highway improvement. Also, said temporary easement rights shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than the completion of this highway improvement.



COUNTY DALLAS STATE CONTROL NO. 10-00  
PROJECT NO. STP-141-6337--2C-25 PARCEL NO. 21A  
SECTION 13 TOWNSHIP 81N RANGE 27W  
ROW - FEE 489 AC, EASE AC EXCESS-FEE AC  
ACQUIRED ACCESS RIGHTS FROM STA. 947+26.6 TO STA. 960+53.2 MAIN LINE SOUTH SIDE  
ACQUIRED ACCESS RIGHTS FROM STA. AC TO STA. AC SIDEROAD AC SIDE  
ACQUIRED FROM LEONARD JOHN GOSCH, ET UX



## \* ACQUISITION

NE1/4	NE1/4	SEC.13	-	3.25	TAX	AC.	+	1.64	AC.	EXIST.	R/W	=	4.89	AC.
TOTAL														
3.25 TAX AC. + 1.64 AC. EXIST. R/W = 4.89 AC.														

A circular professional seal for Dale E. Miller, a Registered Professional Engineer and Land Surveyor in the State of Michigan. The seal features the text "REGISTERED PROFESSIONAL ENGINEER &amp; LAND SURVEYOR" around the perimeter and "STATE OF MICHIGAN" at the bottom. The center contains the name "DALE E. MILLER" and the number "9517".

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE LAND HEREIN DESCRIBED, MADE BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

DATE 12/12/95  
DALE E. WILLER, P.E. & L.S. IA. REG. NO. 9517  
My registration renewal date is December 31, 1995

DATE DRAWN 8-12-93

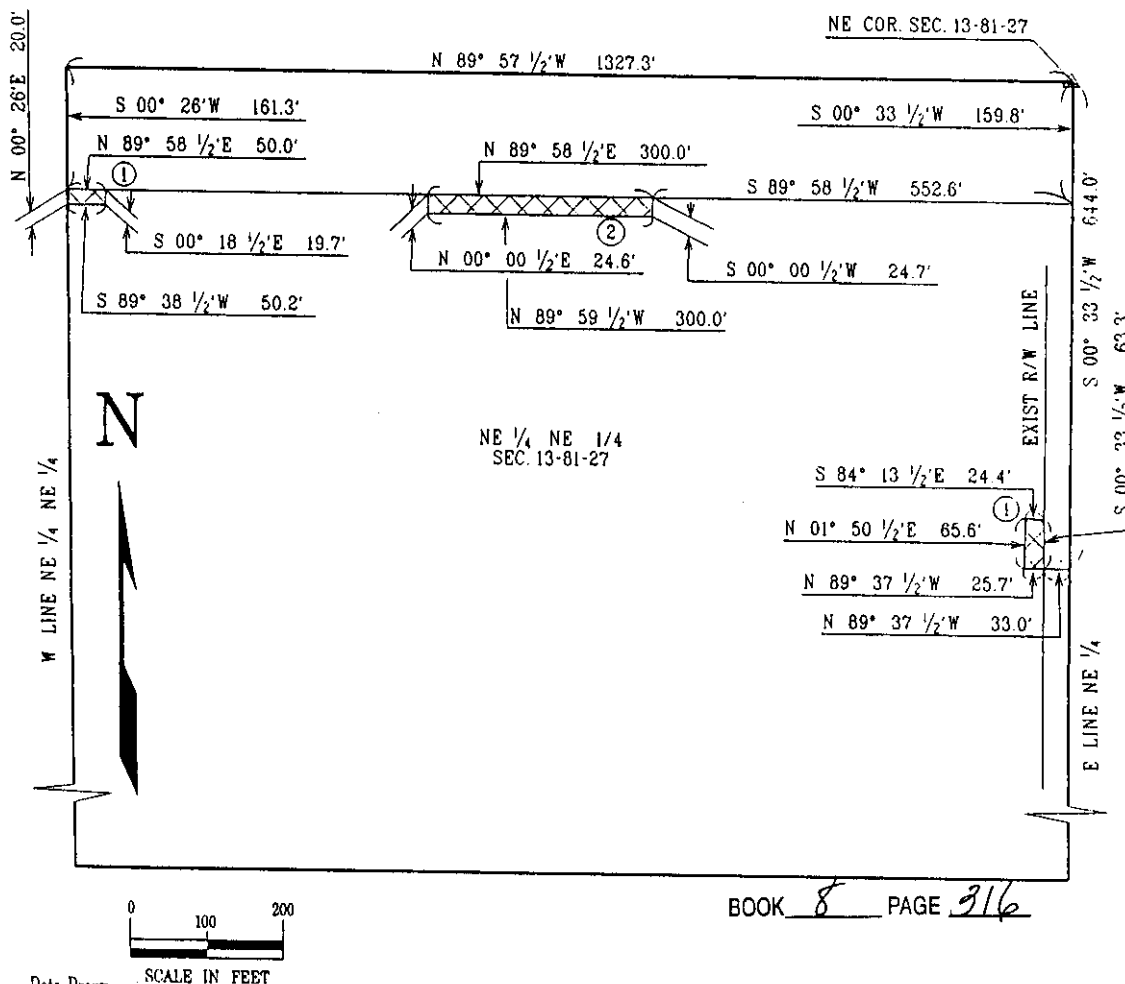
BOOK 8 PAGE 3/5

IOWA DEPARTMENT OF TRANSPORTATION  
ACQUISITION PLAT  
EXHIBIT "B"



COUNTY DALLAS STATE CONTROL NO. 10-00  
PROJECT NO. STP-141-6(37)--2C-25 PARCEL NO. 21A  
SECTION 13 TOWNSHIP 81N RANGE 27W  
ROW-FEE AC, EASE AC, BORROW AC, EXCESS-FEE AC  
ACQUIRED FROM LEONARD JOHN GOSCH, ET UX

- ① TEMPORARY EASEMENT TO CONSTRUCT ENTRANCE
- ② TEMPORARY EASEMENT TO SHAPE BACKSLOPE



In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

TO: Barry Bengston

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Richard Connolly has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Adel, Dallas County, State of Iowa, on the 7th day of July, 1995, at 9:30 o'clock a.m. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Arthur Johnson  
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Adel, Iowa, this 13 day of June, 1995. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Filed in my office at Adel, Iowa, this 14th day of June, 1995.

Arthur Johnson  
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

Please sign original summons and return promptly to the Sheriff of County.

BOOK 8 PAGE 317

RECEIVED  
95 JUN -9 AM 9:02  
DALLAS CO. SHERIFF



In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

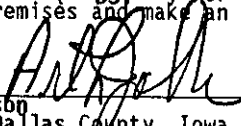
Project No. STP-141-6(37)--2C-25 Group "G"

TO: LESLIE REYNOLDS

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Dallas County, and

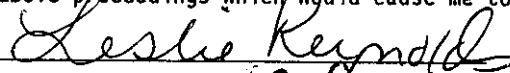
Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Richard Connolly has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Adel, Dallas County, State of Iowa, on the 7th day of July, 19 95, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

  
Arthur Johnson  
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Iowa, this 13th day of July, 19 95. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

  
Leslie Reynolds

Filed in my office at Adel, Iowa, this 13th day of July, 19 95.

  
Arthur Johnson  
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

Please sign original summons and return promptly to the Sheriff of County.

BOOK 5 PAGE 318

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

TO: Carl Luett

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Richard Connelly has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Adel, Dallas County, State of Iowa, on the 7th day of July, 1995, at 9:30 o'clock a.m. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Arthur Johnson  
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Adel, Iowa, this 7th day of July, 1995. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Carl Luett  
Filed in my office at Adel, Iowa, this 29th day of July, 1995.

Arthur Johnson  
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

Please sign original summons and return promptly to the Sheriff of County

RECEIVED  
JUL-9 AM 9:02  
DALLAS COUNTY SHERIFF

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

TO: GENE HALLING

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Richard Connolly has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Adel, Dallas County, State of Iowa, on the 7th day of July, 1995, at 9:30 o'clock a.m. ( DST ) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Arthur Johnson  
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Iowa, this day of 19. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Gene Halling

Filed in my office at Adel, Iowa, this 6 day of July, 19 95.

Arthur Johnson  
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

Please sign original summons and return promptly to the Sheriff of County.

BOOK 8 PAGE 320

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

TO: RICHARD CONNOLLY

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Richard Connolly has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Adel, Dallas County, State of Iowa, on the 7th day of July, 1995, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Arthur Johnson  
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Iowa, this 7th day of July, 1995. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Filed in my office at Adel, Iowa, this 7th day of July, 1995.

Arthur Johnson  
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision or for the reason that I am at that time and most of summer Richard Connolly at that time and most of summer

Please sign original summons and return promptly to the Sheriff of Dallas County.

BOOK 8 PAGE 321

RECEIVED  
JUL 9 1995  
2:06 PM

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

TO: KEVIN SANDQUIST

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Richard Connolly has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Adel, Dallas County, State of Iowa, on the 7th day of July, 1995, at 9:30 o'clock a.m. ( DST ) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Arthur Johnson  
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Adel, Iowa, this 20 day of June, 1995. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Filed in my office at Adel, Iowa, this 21st day of June, 19 95.

Arthur Johnson  
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

Please sign original summons and return promptly to the Sheriff of County.

BOOK 8 PAGE 322

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

OATH OF COMMISSIONERS

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

STATE OF IOWA

Dallas County

} ss

Each of the undersigned being duly sworn says:

That I do possess the qualifications listed under my name below, and

That I do not possess any interest in the proceeding which would cause me to render a  
biased decision,

and, that I will, to the best of my ability, faithfully and impartially assess the  
damages which owners, lienholders, encumbrances and other persons interested in the land  
from which certain rights are sought to be appropriated by these proceedings will sustain  
by reason of the appropriation of the rights set forth and described in the Application and  
Notice of Condemnation in the Office of the Sheriff for the improvement of roads and  
streets and make a written report to the Sheriff as Authorized and prescribed in Chapters  
28E, 306, 306A, 306B, 306C, 313, 6A, and 6B, Code of Iowa, and any amendments thereto, and  
in accordance with the instructions of the Chief Justice of the Supreme Court, and will  
truly perform any and all other duties imposed upon me by law as a member of the  
compensation commission selected and appointed to assess said damages.

Name: Kevin Sandquist  
Licensed Real Estate Salesperson  
or Broker

Name: Barry Bengsten  
Licensed Real Estate Salesperson  
or Broker

Name: Leslie Reynolds  
Knowledgeable of Property Values  
by Virtue of Occupation

Name: Gene Halling  
Knowledgeable of Property Values  
by Virtue of Occupation

Name: Pat B. Manning  
Agricultural

Name: Carl Luett  
Agricultural

Acknowledged, Subscribed and sworn to before me this 27th day of July, 1995.



Carolyn D. Cooley  
(Notary Public) in and for said  
(Clerk of Court) Dallas County and State

Filed in my office at, Adel, Iowa, this 27th day of July, 1995.

Arthur Johnson  
Sheriff of Dallas County, Iowa

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

SHERIFF'S CERTIFICATION  
AS TO AWARDS AND COSTS

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

THE ORIGINAL CERTIFIED APPLICATION FOR CONDEMNATION IS RECORDED IN BOOK \_\_\_\_\_,  
PAGE \_\_\_\_\_, OR INSTRUMENT NUMBER \_\_\_\_\_, AND DATED \_\_\_\_\_.

TO: Iowa Department of Transportation, Ames, Iowa

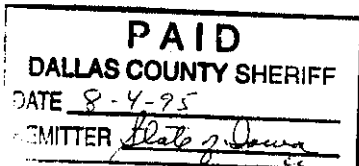
I certify that the commissioners in the above-entitled cause convened at \_\_\_\_\_, Iowa, on the 7th day of July, 1995 and thereupon proceeded to view the premises and said commissioners did on the 7th day of July, 1995 file their report in my office awarding damages as follows:

NAMES OF CONDEMNEES	AWARD	ATTORNEY FEES AND COSTS
Gosch property	\$ 59,736.00	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
TOTAL DAMAGES AWARDED	\$	\$

I certify that the costs incident to this proceeding are taxed and Notices were Served as listed below:

Date:	Name of Condemnees Served	Fee	Mileage	Rate at _____ cents	Amount	Total
6-12-95	Dallas Co. Auditor	10.00	30		1.00	11.00

	Sub Total \$	11.00
Sheriff, Summoning and attending Commissioners.....	\$	60.00
Sheriff, Mileage while attending Commissioners, 37 miles, at 30 cents =		11.10
	TOTAL \$	82.10



Arthur Johnson  
Sheriff of Dallas, County, Iowa

BOOK 5 PAGE 324

377.80 from  
other  
Re: 479.90

COMMISSIONERS' COSTS  
-2-

Barry Bengston of \_\_\_\_\_  
Perry \_\_\_\_\_, Iowa  
1 day service \$ 50.00  
40 miles at 30 cents 12.00  
1 meals 7.00  
**TOTAL \$ 69.00**

Leslie Reynolds of \_\_\_\_\_  
Redfield \_\_\_\_\_, Iowa  
1 day service \$ 50.00  
20 miles at 30 cents 6.00  
1 meals 7.00  
**TOTAL \$ 63.00**

Pat Manning of \_\_\_\_\_  
Granger \_\_\_\_\_, Iowa  
1 day service \$ 50.00  
40 miles at 30 cents 12.00  
1 meals 7.00  
**TOTAL \$ 69.00**

Gene Halling of \_\_\_\_\_  
Perry \_\_\_\_\_, Iowa  
1 day service \$ 50.00  
38 miles at 30 cents 11.40  
1 meals 7.00  
**TOTAL \$ 68.40**

Kevin Sandquist of \_\_\_\_\_  
Adel \_\_\_\_\_, Iowa  
1 day service \$ 50.00  
10 miles at 30 cents 3.00  
1 meals 7.00  
**TOTAL \$ 60.00**

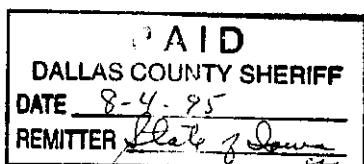
Carl Luett of \_\_\_\_\_  
Perry \_\_\_\_\_, Iowa  
1 day service \$ 50.00  
38 miles at 30 cents 11.40  
1 meals 7.00  
**TOTAL \$ 68.40**

**GRAND TOTAL \$ 397.80**

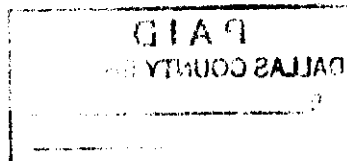
I certify that the foregoing amounts are legally payable to each claimant and that the claim is correct and just and that the payment has been received.

Dated this 26th day of July 1985.

Arthur Johnson  
 Sheriff of Dallas County, Iowa



BOOK 8 PAGE 325





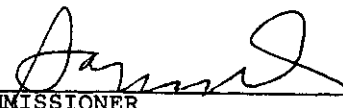
CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of DALLAS County

I certify that my fee and expenses as a member of the  
commission in the matter of the condemnation of certain real estate  
or rights to real estate for Project No. SP-41-6(37)-2C-25 Group 6  
held on the 7<sup>th</sup> day of July, 19 95, are  
as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00 . . . . .	\$ <u>50.00</u>
<u>40</u> miles at <u>30</u> cents . . . . .	\$ <u>12.00</u>
<u>1</u> meals . . . . .	\$ <u>7.00</u>
	<u>69.00</u>

Signed this 7 day of July, 19 95.

  
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Dallas County

I certify that my fee and expenses as a member of the  
commission in the matter of the condemnation of certain real estate  
or rights to real estate for Project No. STP-141-6(32)-2C-25 Group B  
held on the 7 day of July, 1995, are  
as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00 . . . . .	\$ <u>50.00</u>
<u>40</u> miles at <u>30</u> cents . . . . .	\$ <u>12.00</u>
<u>1</u> meals . . . . .	\$ <u>7.00</u>

Signed this 7 day of July, 1995.

Pat D. Manning  
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Dallas County

I certify that my fee and expenses as a member of the  
commission in the matter of the condemnation of certain real estate  
or rights to real estate for Project No. STP-141-6(37)-2C-25 Group G  
held on the 7<sup>th</sup> day of July, 1995, are  
as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00 . . . . .	\$ <u>50.00</u>
<u>10</u> miles at <u>30</u> cents . . . . .	\$ <u>3.00</u>
<u>1</u> meals . . . . .	\$ <u>2.00</u>

Signed this 7<sup>th</sup> day of July, 1995. 60.00

Kevin J. Sandgren  
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Dallas County

I certify that my fee and expenses as a member of the  
commission in the matter of the condemnation of certain real estate  
or rights to real estate for Project No. STP 141-6(37)-2C-25 Group 'C'  
held on the 7 day of July, 19 95, are  
as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00 . . . . .	\$ <u>50.00</u>
<u>20</u> miles at <u>30</u> cents . . . . .	\$ <u>6.00</u>
<u>1</u> meals . . . . .	\$ <u>7.00</u>

Signed this 7 day of July, 19 95

Glenn M. Reynolds  
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Dallas County

I certify that my fee and expenses as a member of the  
commission in the matter of the condemnation of certain real estate  
or rights to real estate for Project No. STP 141-6(37)-25 Gray G  
held on the 7<sup>th</sup> day of July, 1995, are  
as follows and that these claims are due, just and unpaid.

<u>1</u>	day service at \$50.00 . . . . .	\$ <u>50.00</u>
<u>38</u>	miles at <u>30</u> cents . . . . .	\$ <u>11.40</u>
<u>1</u>	meals . . . . .	\$ <u>2.00</u>

Signed this 7 day of July, 1995.

Gene Halling  
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Dallas County

I certify that my fee and expenses as a member of the  
commission in the matter of the condemnation of certain real estate  
or rights to real estate for Project No. STP 141-6(32)-2C-25 Group G  
held on the 2<sup>nd</sup> day of July, 1995, are  
as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00 . . . . .	\$ <u>50.00</u>
<u>30</u> miles at <u>30</u> cents . . . . .	\$ <u>11.40</u>
<u>1</u> meals . . . . .	\$ <u>7.00</u>

Signed this 7 day of July, 1995.

Carl Smith  
COMMISSIONER



In the Matter of the Condemnation of  
Certain Rights in Land by the Iowa  
Department of Transportation for the  
Improvement of

Primary Road No. 141 south

NOTICE

of the City of Woodward

located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25

Group "G"

TO:

- ✓ Leonard John Gosch, also known as John Gosch, 1004 45th Street, West Des Moines, Iowa
- ✓ Noreen N. Gosch, also known as Norene N. Gosch, 1258 Office Park Road, Apt. 2, West Des Moines, Iowa
- ✓ United States Bankruptcy Court for the Southern District of Iowa, Case No. 94-2772C, c/o Barbara G. Stuart,
- ✓ United States Trustee, 210 Walnut Street, Suite 517, Des Moines, Iowa
- ✓ United States Bankruptcy Court for the Southern District of Iowa, Case No. 94-2772C, c/o Thomas L. Flynn,
- ✓ Trustee, 2000 Financial Center, Des Moines, Iowa
- ✓ AgAmerica, FCB, formerly known as Farm Credit Bank of Omaha, c/o H. Dale Huffman, Senior Attorney, Farm
- ✓ Credit Services, 208 South 19th Street, Omaha, Nebraska
- Dallas County, Iowa, c/o County Auditor, Adel, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

The NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 13, T81N, R27W of the 5th P.M., Dallas County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in land more specifically described as follows and shown with reference to their location as to lands affected on the plats Exhibits "A" and "B" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Dallas County, Iowa, and in the Office of the Sheriff of Dallas County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 13, T81N, R27W of the 5th P.M., Dallas County, Iowa, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

Dallas County Project No. STP-141-6(37)--2C-25  
Leonard John Gosch, et ux (Parcel 21A)  
Continued on next sheet.

Sheet 1

BOOK 8 PAGE 332

Dallas County Project No. STP-141-6(37)--2C-25  
Leonard John Gosch, et ux (Parcel 21A)

Sheet 2

Said parcel is described as follows:

Beginning at the NE Corner of said Sec. 13; thence  $S00^{\circ}33\frac{1}{2}'W$ , 159.8 ft. along the east line of said Sec. 13; thence  $S89^{\circ}58\frac{1}{2}'W$ , 1326.9 ft. to the west line of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec. 13; thence  $N00^{\circ}26'E$ , 161.3 ft. along said west line to the north line of the NE $\frac{1}{4}$  of said Sec. 13; thence  $S89^{\circ}57\frac{1}{2}'E$ , 1327.3 ft. along said north line to the Point of Beginning; containing 4.89 acres, of which 1.64 acres are within existing road right of way.

The access rights in fee simple title sought to be appropriated are described as follows:

All rights of direct access between Primary Road No. 141 and condemnees' remaining property abutting thereon from Sta. 947+26.6 $\pm$  (Property Line) to Sta. 960+53.2 $\pm$  (Property Line), on the south side, reserving to the condemnees the right of direct access at Sta. 947+26.6 $\pm$  (Property Line), on the south side.

In connection with this condemnation proceeding it is specifically provided as follows:

1. Any and all improvements, including fences, if any, located wholly within the land sought in fee simple title are condemned in their entirety.
2. The State of Iowa shall have a right of temporary easement, for the specific purpose of shaping backslope, in land described as follows and as shown on the plat Exhibit "B" attached hereto and by reference made a part hereof:

Commencing at the NE Corner of said Sec. 13; thence  $S00^{\circ}33\frac{1}{2}'W$ , 159.8 ft. along the east line of the NE $\frac{1}{4}$  of said Sec. 13, to the southerly line of the land sought in fee simple title; thence  $S89^{\circ}58\frac{1}{2}'W$ , 552.6 ft. along said southerly line to the Point of Beginning; thence  $S00^{\circ}00\frac{1}{2}'W$ , 24.7 ft.; thence  $N89^{\circ}59\frac{1}{2}'W$ , 300.0 ft.; thence  $N00^{\circ}00\frac{1}{2}'E$ , 24.6 ft. to said southerly line; thence  $N89^{\circ}58\frac{1}{2}'E$ , 300.0 ft. along said southerly line to the Point of Beginning.

3. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing entrances, in land described as follows and as shown on said plat Exhibit "B".

Commencing at the NE Corner of said Sec. 13; thence  $S00^{\circ}33\frac{1}{2}'W$ , 644.0 ft. along the east line of the NE $\frac{1}{4}$  of said Sec. 13; thence  $N89^{\circ}37\frac{1}{2}'W$ , 33.0 ft. to a point on the presently established westerly right of way line of the County Road, the Point of Beginning; thence continuing  $N89^{\circ}37\frac{1}{2}'W$ , 25.7 ft.; thence  $N01^{\circ}50\frac{1}{2}'E$ , 65.6 ft.; thence  $S84^{\circ}13\frac{1}{2}'E$ , 24.4 ft. to a point on said westerly right of way line; thence  $S00^{\circ}33\frac{1}{2}'W$ , 63.3 ft. along said westerly line to the Point of Beginning.

Dallas County Project No. STP-141-6(37)--2C-25  
Leonard John Gosch, et ux (Parcel 21A)  
Continued on next sheet.

Sheet 2



Also, commencing at the NE Corner of said Sec. 13; thence N89°57½'W, 1327.3 ft. along the north line of the NE¼ of said Sec. 13 to the west line of the NE¼ NE¼ of said Sec. 13; thence S00°26'W, 161.3 ft. along said west line to the southerly line of the land sought in fee simple title, the Point of Beginning; thence N89°58½'E, 50.0 ft. along said southerly line; thence S00°18½'E, 19.7 ft.; thence S89°38½'W, 50.2 ft. to said west line; thence N00°26'E, 20.0 ft. along said west line to the Point of Beginning.

4. Any drain tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.
5. The areas sought to be appropriated by temporary easement, for the specific purpose of shaping backslope, constructing entrances, relocating, replacing, or restoring tile, if any, are reserved to the condemnees until the actual date said areas are required for construction of this highway improvement. Also, said temporary easement rights shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than the completion of this highway improvement.

That such condemnation is sought for the improvement and/or the maintenance of roads and streets in the State of Iowa in the matter prescribed in Chapters 28E, 306, 306A, 306B, 306C, 313, 6A, and 6B of the Code of Iowa and all amendments thereto.


That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation has been selected and appointed.

You are further notified that the Commissioners will report to the Sheriff's Office in Adel, Iowa, at 9:30 o'clock a.m., on the 7th day of July, 1995 and will view your property at approximately 10:00 o'clock a.m. on the same day, they will then return to the Sheriff's Office and proceed to appraise said damages. You may participate in these proceedings if you care to do so.

IOWA DEPARTMENT OF TRANSPORTATION

Special Assistant Attorney General and Counsel

Robert L. North  
Right of Way Director

By   
Bonnie Jorgensen  
Condemnation Unit Coordinator  
Iowa Department of Transportation  
Ames, Iowa 50010

ACCEPTANCE OF SERVICE

I accept service of the above notice, I acknowledge receipt of a copy, and I waive time of service and any requirements that such notice be published in a newspaper.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

STATE OF IOWA }  
COUNTY OF \_\_\_\_\_ } ss:

Received the within notice the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and I hereby certify that I have served to each person named below by delivering a true copy of the same to each person at the time and place set opposite their respective names:

NAME	DATE	CITY OR TOWN	COUNTY	STATE
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----

Fees:  
Service \$ \_\_\_\_\_  
Mileage \$ \_\_\_\_\_  
Total \$ \_\_\_\_\_

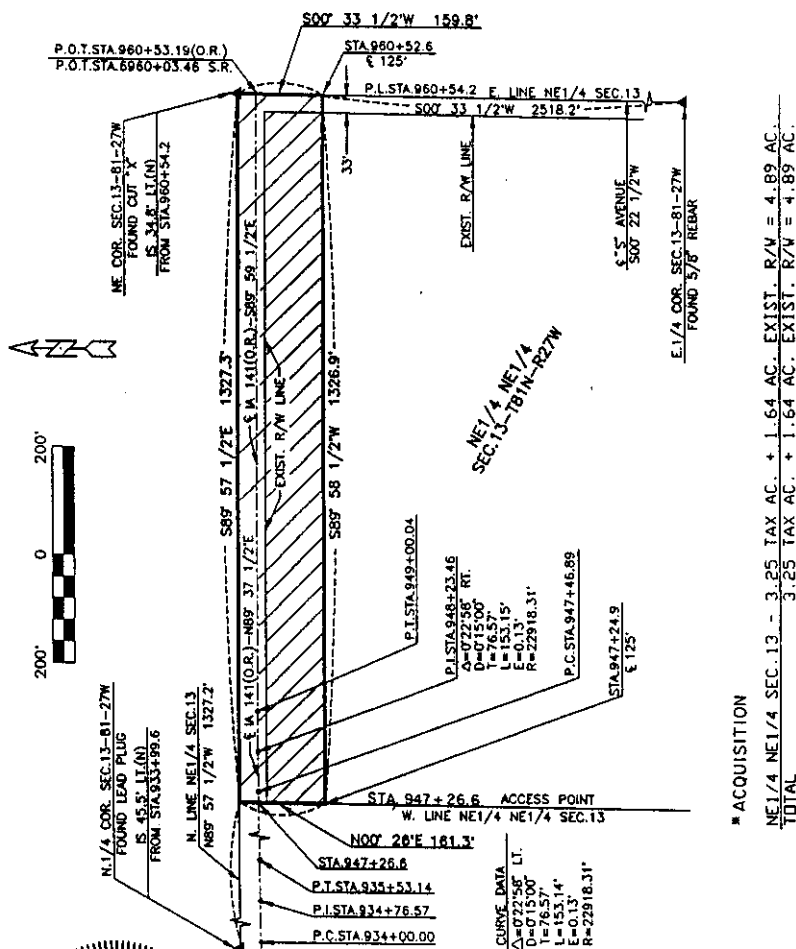
Sheriff of \_\_\_\_\_ County, Iowa



IOWA DEPARTMENT OF TRANSPORTATION

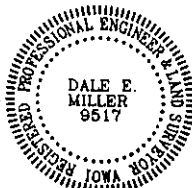
ACQUISITION PLAT  
EXHIBIT "A"

COUNTY DALLAS STATE CONTROL NO. 10-00  
PROJECT NO. STP-141-6(37)--2C-25 PARCEL NO. 21A  
SECTION 13 TOWNSHIP 8N RANGE 27W  
ROW - FEE 4.89 AC, EASE AC, EXCESS-FEE AC  
ACQUIRED ACCESS RIGHTS FROM STA. 947+26.6 TO STA. 960+53.2 MAIN LINE SOUTH SIDE  
ACQUIRED ACCESS RIGHTS FROM STA. 947+26.6 TO STA. 960+53.2 SIDEROAD SIDE  
ACQUIRED FROM LEONARD JOHN GOSCH, ET UX



\* ACQUISITION

NE 1/4 NE 1/4 SEC. 13 - 3.25 TAX AC. + 1.64 AC. EXIST. R/W = 4.89 AC.  
TOTAL 3.25 TAX AC. + 1.64 AC. EXIST. R/W = 4.89 AC.



I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE LAND HEREIN DESCRIBED, MADE BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

DALE E. MILLER, P.E. & L.S. W. REG. NO. 9517  
My registration renewal date is December 31, 1995

DATE 12/12/94

BOOK 8 PAGE 336

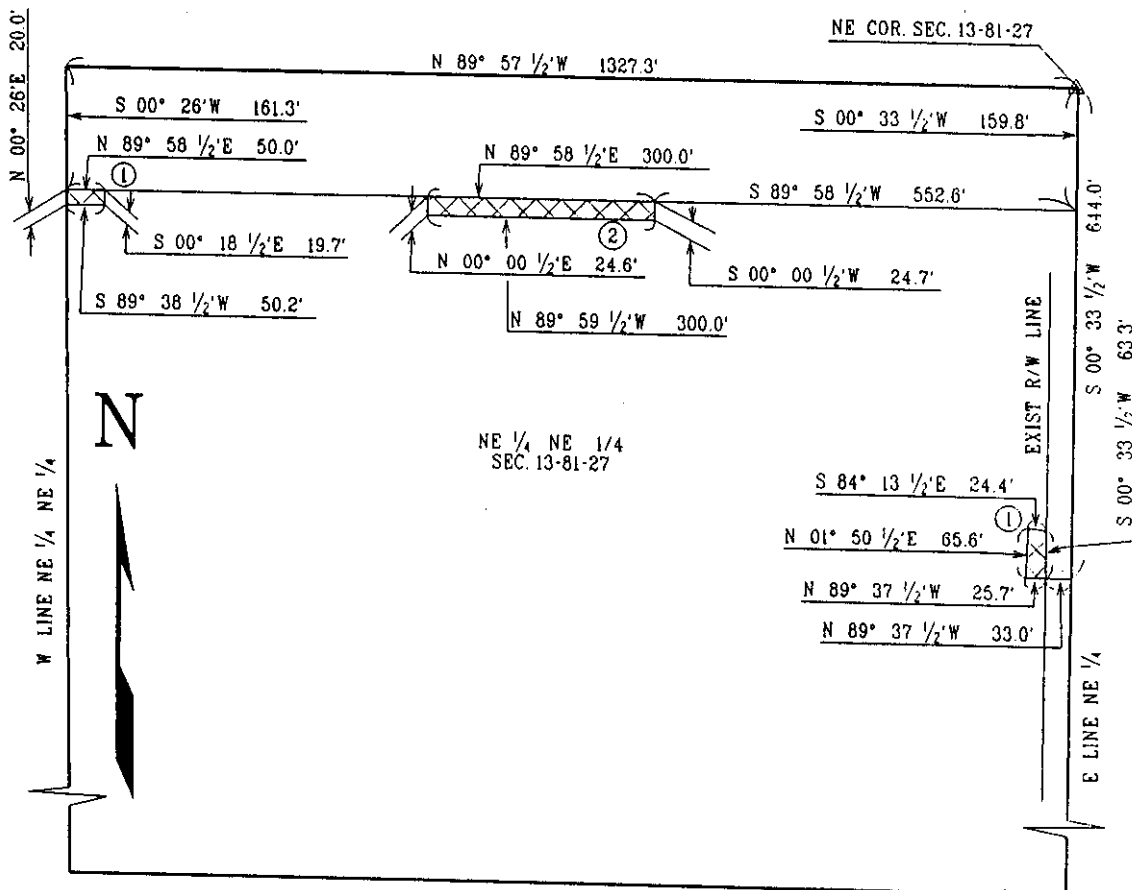
FORM 874-077  
1-83

IOWA DEPARTMENT OF TRANSPORTATION  
ACQUISITION PLAT  
EXHIBIT "B"



COUNTY DALLAS STATE CONTROL NO. 10-00  
PROJECT NO. STP-141-6(37)--2C-25 PARCEL NO. 21A  
SECTION 13 TOWNSHIP 81N RANGE 27W  
ROW-FEE AC, EASE AC, BORROW AC, EXCESS-FEE  
ACQUIRED FROM LEONARD JOHN GOSCH, ET UX

- ① TEMPORARY EASEMENT TO CONSTRUCT ENTRANCE
- ② TEMPORARY EASEMENT TO SHAPE BACKSLOPE



0 100 200  
SCALE IN FEET

Date Drawn

BOOK 8 PAGE 337



## Iowa Department of Transportation

800 Lincoln Way, Ames, Iowa 50010 (515) 239-1029

June 28, 1995

Arthur Johnson  
Dallas County Sheriff  
P.O. Box 229  
Adel, Iowa 50003-0229

RE: Dallas County Condemnation STP-141-6(37)--2C-25 "G"

Dear Sheriff Johnson:

Please retain the enclosed Returns of Service for Parcel No. 21A which was served by the Polk County Sheriff in your file for later recording with the County Recorder.

Sincerely,

ROBERT L. NORTH  
Right of Way Director

Bernie Jorgensen  
Condemnation Unit Coordinator

RLN:BJ:kd  
Enclosures

BOOK 5 PAGE 338

# RETURN OF SERVICE

SHERIFF'S FILE # I 216

IN THE IOWA DISTRICT COURT FOR \_\_\_\_\_ COUNTY

Case Name In Dept of Trans

Case No. \_\_\_\_\_

Notice Rec'd this date 6-2-95

STATE OF IOWA

POLK

County } ss.

I certify that I served a copy of:

- ☐ Petition and Original Notice
- ☐ Modification/Application and Notice
- ☐ Order to Show Cause

## RETURN OF SERVICE

- ☐ Personal
- ☐ Dwelling Substitute
- ☐ Hotel, Boarding/Rooming House
- ☐ Corporation/Association
- ☒ Official (State, County, City)
- ☐ Spouse away from residence
- ☐ Other \_\_\_\_\_
- ☐ Posted Per Court Order

Type of Service Code

1  
2  
3  
4  
5  
6  
7  
8

☐ Order Filed \_\_\_\_\_

☐ NTQ / FED \_\_\_\_\_

☐ Writ \_\_\_\_\_

☒ Other Notice of Condemnation Hearing

Served:

Type Code

_____	at _____	on _____	_____
(Name)	(Address)	(Date)	(Time)
_____	at _____	on _____	_____
_____	at _____	on _____	_____
_____	at _____	on _____	_____
_____	at _____	on _____	_____

BY DELIVERING A COPY TO:

1. \_\_\_\_\_ A person at least 18 years old residing there.
2. \_\_\_\_\_ TITLE \_\_\_\_\_ The usual dwelling of the defendant, which place was a rooming house, hotel, apartment bldg.
3. \_\_\_\_\_ Spouse of defendant, which was not the defendant's dwelling house or usual place of abode.

\_\_\_\_\_ The Spouse stated that he/she lived together.

\_\_\_\_\_ I have reason to believe that this Spouse lives at defendant's dwelling:

Because: \_\_\_\_\_

4. I served the same on the within named defendant U. S. Bankruptcy Court S

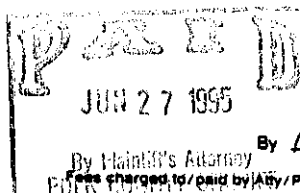
by delivering a true copy to Thomas Flynn Trustee

at 2000 Financial Center Date & Time 6-5-95 1:50 PM

NOTE: (Diligent search, etc.)

### FEES:

Processing 35.00  
Mileage 12.20  
Copy \_\_\_\_\_  
Notary \_\_\_\_\_  
TOTAL 47.20



BOB E. RICE  
Sheriff of Polk County

By Bill Proctor Deputy

BOOK 8 PAGE 339

## RETURN OF SERVICE

SHERIFF'S FILE # I 216

IN THE IOWA DISTRICT COURT FOR \_\_\_\_\_ COUNTY

Case Name In Dept of Trans

Case No. \_\_\_\_\_

Notice Rec'd this date 6-2-95

STATE OF IOWA

POLK

County

} ss.

## RETURN OF SERVICE

- ☐ Personal  
☐ Dwelling Substitute  
☐ Hotel, Boarding/Rooming House  
☐ Corporation/Association  
☒ Official (State, County, City)  
☐ Spouse away from residence  
☐ Other  
☐ Posted Per Court Order

Type of  
Service  
Code1  
2  
3  
4  
5  
6  
7  
8

I certify that I served a copy of:

- ☐ Petition and Original Notice  
☐ Modification/Application and Notice  
☐ Order to Show Cause

☐ Order Filed☐ NTQ/FED☐ Writ☒ Other Notice of Condemnation Hearing

Served:

Type  
Code

_____	at	_____	on	_____	_____	_____
(Name)		(Address)		(Date)	(Time)	
_____	at	_____	on	_____	_____	_____
_____	at	_____	on	_____	_____	_____
_____	at	_____	on	_____	_____	_____
_____	at	_____	on	_____	_____	_____

## BY DELIVERING A COPY TO:

1. \_\_\_\_\_ A person at least 18 years old residing there.  
NAME \_\_\_\_\_
2. \_\_\_\_\_ The usual dwelling of the defendant,  
NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
which place was a rooming house, hotel, apartment bldg.
3. \_\_\_\_\_ Spouse of defendant, which was not the defendants dwelling house  
NAME \_\_\_\_\_  
or usual place of abode.

\_\_\_\_\_ The Spouse stated that he/she lived together.

\_\_\_\_\_ I have reason to believe that this Spouse lives at defendant's dwelling:

Because: \_\_\_\_\_

4. I served the same on the within named defendant United States Bankruptcy Court 5  
company

by delivering a true copy to Barbara Stuart (Jim Stuart) Director  
name titleat 210 Walnut St 517 Date & Time 6-5-95 2:57 PM

NOTE: (Diligent search, etc.)

## FEES:

Processing \_\_\_\_\_  
Mileage \_\_\_\_\_  
Copy \_\_\_\_\_  
Notary \_\_\_\_\_  
TOTAL \_\_\_\_\_

BOB E. RICE  
Sheriff of Polk County

By Bill Pomeroy Deputy

Fees charged to/paid by Atty/Party: \_\_\_\_\_

BOOK 8 PAGE 340

## RETURN OF SERVICE

SHERIFF'S FILE #

T216

IN THE IOWA DISTRICT COURT FOR

Dallas

COUNTY

Case Name La Depty TransCase No. STP-14P 6 C37)-22-25Notice Rec'd this date June 2 95

STATE OF IOWA

POLK

County

## RETURN OF SERVICE

- ☒ Personal  
☐ Dwelling Substitute  
☐ Hotel, Boarding/Rooming House  
☐ Corporation/Association  
☐ Official (State, County, City)  
☐ Spouse away from residence  
☐ Other  
☐ Posted Per Court Order

Type of  
Service  
Code

①  
2  
3  
4  
5  
6  
7  
8

I certify that I served a copy of:

- ☐ Petition and Original Notice  
☐ Modification/Application and Notice  
☐ Order to Show Cause

☐ Order Filed☐ NTQ/FED☐ Writ☒ OtherNotice of Contempration

Served:

Theresa N. Josch  
(Name)at 2045 Grandview  
(Address)on 6-5-95 145 pm  
(Date) (Time)Type  
Code

1

## BY DELIVERING A COPY TO:

1. \_\_\_\_\_ A person at least 18 years old residing there.  
NAME
2. \_\_\_\_\_ The usual dwelling of the defendant,  
NAME TITLE  
which place was a rooming house, hotel, apartment bldg.
3. \_\_\_\_\_, Spouse of defendant, which was not the defendants dwelling house  
NAME  
or usual place of abode.

The Spouse stated that he/she lived together.

I have reason to believe that this Spouse lives at defendant's dwelling:

Because:

4. I served the same on the within named defendant \_\_\_\_\_

company

by delivering a true copy to \_\_\_\_\_

name

title

at \_\_\_\_\_, Date &amp; Time \_\_\_\_\_

NOTE: (Diligent search, etc.)

## FEES:

Processing \_\_\_\_\_  
Mileage \_\_\_\_\_  
Copy \_\_\_\_\_  
Notary \_\_\_\_\_  
TOTAL \_\_\_\_\_

BOB E. RICE

Sheriff of Polk County

By

Arthur Gino

Deputy

Fees charged to/paid by Atty/Party:

BOOK 8

PAGE 341



# RETURN OF SERVICE

SHERIFF'S FILE # I 216

IN THE IOWA DISTRICT COURT FOR Dallas COUNTY

Case Name In Dept of Trans  
Case No. STP-141-6(37)-24-25

Notice Rec'd this date 6-2-95

STATE OF IOWA } ss.  
POLK County

## RETURN OF SERVICE

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Personal            | 1 |
| <input type="checkbox"/> Dwelling Substitute            | 2 |
| <input type="checkbox"/> Hotel, Boarding/Rooming House  | 3 |
| <input type="checkbox"/> Corporation/Association        | 4 |
| <input type="checkbox"/> Official (State, County, City) | 5 |
| <input type="checkbox"/> Spouse away from residence     | 6 |
| <input type="checkbox"/> Other                          | 7 |
| <input type="checkbox"/> Posted Per Court Order         | 8 |

I certify that I served a copy of:

- ☐ Petition and Original Notice  
☐ Modification/Application and Notice  
☐ Order to Show Cause

☐ Order Filed  
☐ Writ/FED

☒ Other Notice of Contemner's Hearing

Served:

<u>Local John Huch</u> (Name)	at	<u>Rm 208 Polk Courthouse</u> (Address)	on	<u>6-2-95</u> (Date)	<u>10:40am</u> (Time)	<u>1</u> Type Code
_____	at	<u>On Main, 2</u>	on	_____	_____	_____
_____	at	_____	on	_____	_____	_____
_____	at	_____	on	_____	_____	_____
_____	at	_____	on	_____	_____	_____

BY DELIVERING A COPY TO:

1. \_\_\_\_\_ A person at least 18 years old residing there.  
NAME \_\_\_\_\_
2. \_\_\_\_\_ TITLE \_\_\_\_\_ The usual dwelling of the defendant,  
NAME \_\_\_\_\_ which place was a rooming house, hotel, apartment bldg.
3. \_\_\_\_\_ Spouse of defendant, which was not the defendants dwelling house  
NAME \_\_\_\_\_ or usual place of abode.  
The Spouse stated that he/she lived together.  
I have reason to believe that this Spouse lives at defendant's dwelling:  
Because: \_\_\_\_\_
4. I served the same on the within named defendant \_\_\_\_\_  
company \_\_\_\_\_  
by delivering a true copy to \_\_\_\_\_  
name \_\_\_\_\_ title \_\_\_\_\_  
at \_\_\_\_\_ Date & Time \_\_\_\_\_

NOTE: (Diligent search, etc.)

## FEES:

Processing \_\_\_\_\_  
Mileage \_\_\_\_\_  
Copy \_\_\_\_\_  
Notary \_\_\_\_\_  
TOTAL \_\_\_\_\_

BOB E. RICE  
Sheriff of Polk County

By Lt. Sam Armstrong  
Deputy

Fees charged to/paid by Atty/Party:



## Iowa Department of Transportation

Highway Division, 800 Lincoln Way, Ames, Iowa 50010 (515) 239-1213

June 23, 1995

Arthur Johnson  
Dallas County Sheriff  
P.O. Box 229  
Adel, Iowa 50003

RE: Dallas County Condemnation STP-141-6(37)--2C-25 "G"

Dear Sheriff Johnson:

Please retain the enclosed Proof of Publication for Parcel No. 21A in your file for later recording with the County Recorder.

Sincerely,

Robert L. North  
Right of Way Director

Bernie Jorgensen  
Condemnation Unit Coordinator

RLN:BJ:kd  
Enclosure

STATE OF IOWA, DALLAS COUNTY, ss.

NOTICE  
IN THE MATTER OF CONDEMNATION OF  
CERTAIN RIGHTS IN LAND BY THE IOWA  
DEPARTMENT OF TRANSPORTATION  
FOR THE IMPROVEMENT OF  
Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa  
Project No. STP-141-6(37)-2C-25  
Group "G"

TO:  
Leonard John Gosch, also known as John  
Gosch, 1004 45th Street, West Des Moines,  
Iowa  
Noreen N. Gosch, also known as Norene  
N. Gosch, 1258 Office Park Road, Apt. 2,  
West Des Moines, Iowa  
United States Bankruptcy Court for the  
Southern District of Iowa, Case No. 94-  
2772C, c/o Barbara G. Stuart, United States  
Trustee, 210 Walnut Street, Suite 517, Des  
Moines, Iowa  
United States Bankruptcy Court for the  
Southern District of Iowa, Case No. 94-  
2772C, c/o Thomas L. Flynn, Trustee, 2000  
Financial Center, Des Moines, Iowa  
AgAmerica, FCB, formerly known as Farm  
Credit Bank of Omaha, c/o H. Dale Huffman,  
Senior Attorney, Farm Credit Services, 208  
South 19th Street, Omaha, Nebraska  
Dallas County, Iowa, c/o County Auditor,  
Adel, Iowa

and to all other persons, companies or cor-  
porations having any interest in or owning any  
of the following described real estate:

The NE 1/4 NE 1/4 of Sec. 13, T81N,  
R27W of the 5th P.M., Dallas County, Iowa.

You, and each of you, are hereby notified  
that the State of Iowa desires certain rights in  
land more specifically described as follows  
and shown with reference to their location as  
to lands affected on the plat Exhibit "A" and  
"B" attached to the Application filed with the  
Chief Judge of the Judicial District containing  
Dallas County, Iowa, and in the Office of the  
Sheriff of Dallas County, Iowa, to which you  
are referred.

The title in fee simple title sought to be  
appropriated for the use is in land described  
as follows:

A parcel of land located in the NE 1/4 NE  
1/4 of Sec. 13, T81N, R27W of the 5th P.M.,  
Dallas County, Iowa, as shown on the plat  
Exhibit "A" and by reference made a part  
thereof.

Said parcel is described as follows:

Beginning at the NE Corner of said Sec.  
13; thence S00°33' 1/2"W, 159.8 ft. along the  
east line of said Sec. 13; thence S89°58'  
1/2"W, 1326.9 ft. to the west line of the NE 1/4  
NE 1/4 of said Sec. 13; thence N00°26'E,  
161.3 ft. along said west line to the north line  
of the NE 1/4 of said Sec. 13; thence S89°57'  
1/2"E, 1327.3 ft. along said north line to the  
Point of Beginning; containing 4.89 acres, of  
which 1.64 are within existing road right of  
way.

The access rights in fee simple title sought  
to be appropriated are described as follows:

All the rights of direct access between Pri-  
mary Road No. 141 and condemnnees' remain-  
ing property abutting thereon from Sta. 947+26.6±  
(Property Line) to Sta. 960+53.2±  
(Property Line), on the south side, reserving  
to the condemnnees the right of direct access  
at Sta. 947+26.6± (Property Line), on the  
south side.

In connection with this condemnation pro-  
ceeding it is specifically provided as follows:

1. Any and all improvements, including  
fences, if any, located wholly or partially within  
the land sought in fee simple title are con-  
demned in their entirety.

2. The State of Iowa shall have a right of  
temporary easement, for the specific purpose  
of shaping back slopes, in land described as  
follows and as shown on the plat Exhibit "B"  
and by reference made a part hereof:

Commencing at the NE Corner of said Sec.  
13; thence S00°33' 1/2"W, 159.8 ft. along the  
east line of the NE 1/4 of said Sec. 13, to the  
southerly line of the land sought in fee simple  
title; thence S89°58' 1/2"W, 552.6 ft. along  
said southerly line to the Point of Beginning;  
thence S00°00' 1/2"W, 24.7 ft.; thence N89°59'  
1/2"W, 300.0 ft.; thence N00°00' 1/2"E, 24.6 ft.  
to said southerly line; thence N89°58' 1/2"E,  
300.0 ft. along said southerly line to the Point  
of Beginning.

3. The State of Iowa shall have a right of  
temporary easement, for the specific purpose  
of constructing entrances, in land described  
as follows and as shown on the said plat:

I, J.B. Tiedemann, Publisher of the Dallas County News, a weekly  
newspaper, published in the City of Adel, Iowa, do hereby certify that  
the attached notice was published in said newspaper

for 4 consecutive weeks commencing June 1, 1995,  
ending June 22, 1995.

J.B. Tiedemann  
Subscribed and sworn to before me this 22

of June, 1995.

Printer's Fees \$ 185.04



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EXHIBIT "B"  
Commencing at the NE Corner of said Sec.  
13; thence S00°33' 1/2"W, 644.0 ft. along the  
east line of the NE 1/4 of said Sec. 13; thence  
N89°37' 1/2"W, 33.0 ft. to a point on the  
presently established westerly right of way  
line of the County Road, the Point of Begin-  
ning; thence continuing N89°37' 1/2"W, 25.7  
ft.; thence N01°50' 12"E, 65.6 ft.; thence  
S84°13' 1/2"E, 24.4 ft. to a point on said westerly  
right of way line; thence S00°33' 1/2"W,  
63.3 ft. along said westerly line to the Point of  
Beginning.

Also, commencing at the NE Corner of said

Sec. 13; thence N89°57' 1/2"W, 1327.3 ft.  
along the north line of the NE 1/4 of said Sec.  
13 to the west line of the NE 1/4 NE 1/4 of  
said Sec. 13; thence S00°26'W, 161.3 ft. along  
said west line to the southerly line of the land  
sought in fee simple title, the Point of Begin-  
ning; thence N89°58' 1/2"E, 50.0 ft. along said  
southerly line; thence S00°18' 1/2"E, 19.7 ft.;  
thence S89°38' 1/2"W, 50.2 ft. to said west  
line; thence N00°26'E, 20.0 ft. along said west  
line to the Point of Beginning.

4. Any drain tile lines, or outlets, which are  
located within the land being acquired under  
this proceeding, and are damaged or  
destroyed by highway construction, shall be  
relocated, replaced or restored by the con-  
demnor and at no expense to the condem-  
nees, and the State of Iowa shall have a right  
of temporary easement as necessary over  
condemnees' remaining property for the spe-  
cific purpose of effecting such relocation,  
replacement or restoration.

5. The areas sought to be appropriated by  
temporary easement, for the specific purpose  
of shaping back slopes, constructing  
entrances, relocating, replacing, or restoring  
tile, if any, are reserved to the condemnnees  
until the actual date said areas are required  
for construction of this highway improvement.  
Also, said temporary easement rights shall  
terminate immediately upon completion of the  
operations for which said rights are sought  
and in no event later than the completion of  
this highway improvement.

That such condemnation is sought for the  
improvement and/or the maintenance of roads  
and streets in the State of Iowa in the matter  
prescribed in Chapters 28E, 30E, 306A, 306B,  
306C, 313, 6A, and 6B of the Code of Iowa  
and all amendments thereto.

That a commission for the purpose of  
appraising and awarding damages which will  
be caused by said appropriation and condem-  
nation has been selected and appointed.

You are further notified that the Commis-  
sioners will report to the Sheriff's Office in  
Adel, Iowa, at 9:30 o'clock a.m., on the 7th  
day of July, 1995 and will view your property  
at approximately 10:00 o'clock a.m. on the  
same day. They will then return to the Sher-  
iff's Office and proceed to appraise said dam-  
ages. You may participate in these proceed-  
ings if you care to do so.

IOWA DEPARTMENT  
OF TRANSPORTATION

Special Assistant  
Attorney General and Counsel

Robert L. North

Right of Way Director

By: Bernie Jorgensen

Condemnation Unit Coordinator

Iowa Department of Transportation

Ames, Iowa 50010

50-4-c

BOOK 8 PAGE 344

AFFIDAVIT OF PUBLICATION  
by, STATE OF IOWA, CONDEMNOR

In the Matter of the Condemnation of  
Certain Rights in Land by the Iowa  
Department of Transportation for the  
Improvement of

Primary Road No. 141 south

of the City of Woodward

located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25

Group "G" Parcel 21A

STATE OF IOWA                    )  
                                      ) ss.  
COUNTY OF DALLAS                )

I, Bernie Jorgensen, being duly sworn state that I am the Condemnation Unit Coordinator for the Iowa Department of Transportation in the above-entitled matter.

I further state that personal service cannot be made within the State of Iowa upon the condemnee named below:

AgAmerica, FCB, formerly known as Farm Credit Bank of Omaha, c/o H. Dale Huffman,  
Senior Attorney, Farm Credit Services, 208 South 19th Street, Omaha, Nebraska

I further state that on May 31, 1995, a copy of the Notice in this matter was mailed to the above condemnee at the place set opposite their name.

I further state that an attempt of personal service will be made on the condemnees named below:

Leonard John Gosch, also known as John Gosch, 1004 45th Street, West Des Moines,  
Iowa

Noreen N. Gosch, also known as Norene N. Gosch, 1258 Office Park Road, Apt. 2,  
West Des Moines, Iowa

United States Bankruptcy Court for the Southern District of Iowa, Case No.  
94-2772C, c/o Barbara G. Stuart, United States Trustee, 210 Walnut Street,  
Suite 517, Des Moines, Iowa

United States Bankruptcy Court for the Southern District of Iowa, Case No.  
94-2772C, c/o Thomas L. Flynn, Trustee, 2000 Financial Center, Des Moines, Iowa  
Dallas County, Iowa, c/o County Auditor, Adel, Iowa

I further state that other persons, companies or corporations not listed may own or have an interest in the land sought to be appropriated. Therefore, to protect whatever interest, if any, they may possess, the Notice of Condemnation, when published, shall provide notification of the forthcoming condemnation proceeding.



Bernie Jorgensen  
Condemnation Unit Coordinator

Subscribed and sworn to before me this 31<sup>st</sup> day of May, 1995.



Kay R. Disbrowe  
Notary Public in and for the State of Iowa



BOOK 8 PAGE 346



Farm Credit Services

Corporate Offices  
208 South 19th Street  
Omaha, Nebraska 68102-1755

H. Dale Huffman  
Associate General Counsel  
402/348-3328  
402/348-3275 (FAX)

June 16, 1995

Mr. Jerry Tiedeman  
Sheriff of Dallas County, Iowa  
801 Court Street  
Adel, Iowa 50003

Re: In the Matter of the Condemnation of Certain Rights in Land  
by the Iowa Department of Transportation for the Improvement  
of Primary Road No. 141 South of the City of Woodward  
located in Dallas County, Iowa

Dear Friends:

Enclosed is our Claim of Lien for the above entitled action.

Our interest is identical with that of the mortgagors, and we do not plan to attend any of the proceedings unless there is a real dispute as to the lien of our mortgage. The lien extends to the award in a condemnation proceeding and we have, therefore, asked to be named a co-payee on the award.

Very truly yours,

  
H. Dale Huffman  
Associate General Counsel

Enclosures

c: Roger Mohlis  
Farm Credit Services-Perry, Iowa

IN THE MATTER OF  
THE CONDEMNATION OF  
CERTAIN RIGHTS IN LAND BY  
THE IOWA DEPARTMENT OF  
TRANSPORTATION FOR THE  
IMPROVEMENT OF

PRIMARY ROAD NO. 141 SOUTH  
OF THE CITY OF WOODWARD  
LOCATED IN DALLAS COUNTY, IOWA

PROJECT NO. STP-141-6(37)--2c-25  
GROUP "G"

CLAIM OF LIEN  
OF  
AGAMERICA, FCB

DALLAS CO. SHERIFF

95 JUN 19 AM 9:09

RECEIVED

-----  
Comes now AgAmerica, FCB, formerly known as the Farm  
Credit Bank of Omaha, a Condemnee, and enters its appearance in  
the above-entitled proceedings as to Leonard John Gosch and  
Noreen N. Gosch, and for its Claim of Lien states and alleges as  
follows:

1. That Claimant is a corporation organized, existing,  
and doing business under and by virtue of the Laws of the United  
States of America, with its principal place of business at Omaha,  
Douglas County, Nebraska.

2. That in consideration of a loan in the amount of  
\$35,000 made on or about April 9, 1991 to Leonard John Gosch and  
Noreen N. Gosch, husband and wife, mortgaged and conveyed to  
AgAmerica, FCB, formerly known as the Farm Credit Bank of Omaha,  
real estate which is the subject matter of this proceeding, that  
said mortgage was recorded on April 10, 1991 of the mortgage  
records of Dallas County, Iowa. A copy of said mortgage is

attached hereto, marked Exhibit "A", and made a part hereof by reference.

3. That Claimant is the owner and holder of said mortgage, Exhibit "A", and said mortgage remains unsatisfied and unpaid.

4. That the mortgage lien of this Condemnee is first and prior to the rights, if any, of any other party to this proceeding.

5. That the subject matter of this proceeding contemplates the payment of just compensation for the taking of land described in the Notice to mortgagees of record.

6. That Claimant, by virtue of its said mortgage, claims a lien upon the entire proceeds of any award in damages that may be found and adjudged due and payable to the record owners of the real estate described in said mortgage through the exercise of the power of eminent domain.

7. That Claimant joins with the other Condemnees in asking that just compensation be awarded as damages for any property taken.

WHEREFORE, Claimant respectfully prays that just compensation be awarded as damages for the property taken; that the Court find that this Condemnee has a first mortgage lien on a portion of the premises sought to be condemned and taken herein; that any award paid in satisfaction of the taking of said premises be found to be subject to the mortgage lien to the extent of the unpaid balance thereof together with interest



thereon; that any award of damages to the owners of the said real estate be turned over and paid to Claimant and to the owners of said real estate as copayees in satisfaction of said lien as to the premises being taken; or, that no other parties be allowed to draw any monies without prior notice and opportunity to be heard on the part of this Claimant; and for such further orders as shall be just and equitable; and for costs.

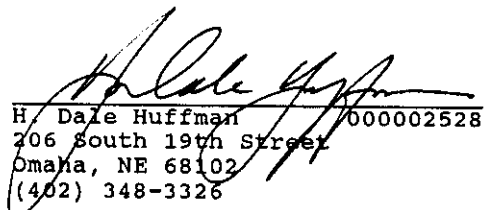
  
H. Dale Huffman 000002528  
206 South 19th Street  
Omaha, NE 68102  
(402) 348-3326  
Attorney for Claimant

EXHIBIT A

FCBO 5022 (5-89)  
Page 1 of 2

Eighth Farm Credit District

**REAL ESTATE MORTGAGE - IOWA**  
Open-End To Secure Present and Future Obligations and Advances

Words and phrases herein, including the acknowledgment hereof, will be construed as in the singular or plural numbers and as masculine, feminine, or neuter gender, according to the context.

Leonard John Gosch and Noreen N. Gosch, husband and wife, Date: April 9, 1991

Mortgagor(s) of Polk County, Iowa, in consideration of the advance by Mortgagee to Mortgagor(s) of the principal sum specified below, the receipt of which is hereby acknowledged, and any future, additional or protective advances made to or on behalf of Mortgagor(s) at Mortgagee's option, hereby sell, convey, and mortgage to FARM CREDIT BANK OF OMAHA 206 South 19th Street, Omaha, Nebraska 68102, Mortgagee, its successors and assigns, from the date hereof until all obligations secured hereby are paid in full, the following-described real estate in Dallas County, Iowa, to wit:

NE $\frac{1}{4}$  NE $\frac{1}{4}$  ----- 13 81N 27W  
5th P.M.

5047  
FILED  
BOOK 696 PAGE 449-  
91 APR 10 PM 2:58  
CAROL HOL  
COUNTY RECORDER  
DALLAS CO. IOWA  
10.00

together with all Mortgagor's right, title, and interest in the property, now or hereafter acquired, including: all buildings, fixtures, crops, and improvements now on or hereafter placed upon the property; all appurtenances, water, irrigation, and drainage rights; all rents, issues, uses, income, profits, and rights to possession; all oil, gas, gravel, rock, or other minerals of whatever nature, including geothermal resources; all personal property that may integrally belong to or hereafter become an integral part of the real estate whether attached or detached, including any appurtenances and accoutrements of any structure or residence secured hereby; all above and below ground irrigation equipment and accessories; and all leases, permits, licenses, or privileges, appurtenant or nonappurtenant to the property, now or hereafter issued, extended, or renewed by Mortgagor(s), any State, the United States, or any department, bureau, instrumentality, or agency thereof. The foregoing is collectively referred to in this document as the "property."

It is understood and agreed between Mortgagor(s) and Mortgagee that this mortgage is given to secure:

(a) Promissory note(s) executed by Mortgagor(s) to Mortgagee described as follows:

Date of Note	Principal Amount	Date of Note	Principal Amount
April 9, 1991	\$ 35,000.00		

payable according to the terms of the note(s) and any addendums to, reamortization or restructuring of the note(s).

(b) The repayment in full by Mortgagor(s) of any and all future and additional loans or advances which may be made by Mortgagee, at its option, at the request of, and to or for the account of Mortgagor(s), or any of them, for any purpose, plus interest on all loans or advances, under any note(s) or other instrument(s) modifying, refinancing, extending, renewing, reamortizing, or restructuring, new, existing, or additional indebtedness or any part thereof, all payable according to the terms of the note(s) or other instrument(s); provided, however, that the total principal indebtedness outstanding and secured hereby at any one time will not exceed the sum of Thirty-Five Thousand and 00/100 DOLLARS (\$ 35,000.00), exclusive of interest and protective advances authorized herein or in the loan agreement(s); provided further, that THIS PARAGRAPH SHALL NOT CONSTITUTE A COMMITMENT TO MAKE FURTHER OR ADDITIONAL ADVANCES IN ANY AMOUNT AT ANY TIME, WHETHER OR NOT THE TOTAL PRINCIPAL INDEBTEDNESS ABOVE HAS BEEN ADVANCED.

(c) The repayment in full by Mortgagor(s) of all amounts advanced by Mortgagee at its option, to or on behalf of Mortgagor(s) as protective advances authorized herein, in the loan agreement(s), or in other instrument(s) which evidence such advances, plus interest on all such advances, payable as provided in the note(s), loan agreement(s), or other instrument(s).

(d) The payment in full of any and all other past, present, or future, direct or contingent, debts and liabilities of Mortgagor(s) to Mortgagee of any nature whatsoever.

This mortgage will be due February 1, 2001 or upon the payment in full of all sums secured hereby.

Mortgagor(s) hereby warrants that Mortgagor(s) holds fee simple title to the above described property; that Mortgagor(s) has good and lawful authority to mortgage the same; that the property is free and clear of all liens and encumbrances, except encumbrances of record; and that Mortgagor(s) will warrant and defend the property at Mortgagor's expense against all claimants whatsoever. Mortgagor(s) also hereby waives and relinquishes all rights of dower, homestead, distributive share, and exemption in and to the above described property.

**HOMESTEAD EXEMPTION WAIVER**

I understand that homestead property is in many cases protected from the claims of creditors and exempt from judicial sale; and that by signing this mortgage, I voluntarily give up my right to this protection for this property with respect to claims based on this mortgage.

Signature <u>Leonard John Gosch</u>	Date <u>4-9-91</u>	Signature _____	Date _____
Signature <u>Noreen N. Gosch</u>	Date <u>4-9-91</u>	Signature _____	Date _____

\*NOTICE: This mortgage secures credit in the amount of \$ 35,000.00. Loans and advances up to this amount, together with interest, are senior to indebtedness to other creditors under subsequently recorded or filed mortgages and liens.

BOOK 696 PAGE 449

Mortgagor(s) and each of them further covenant and agree with Mortgagee as follows:

- (1) To pay all liens, judgments, or other assessments against the property, and to pay when due all assessments, taxes, rents, fees, or charges upon the property or under any lease, permit, license, or privilege assigned to Mortgagee as additional security to this mortgage, including those in or on public domain.
- (2) To insure and keep insured buildings and other improvements, including fixtures and attachments now on or hereafter placed on the property to the satisfaction of Mortgagee. Such insurance will be approved by and deposited with Mortgagee, and endorsed with a mortgage clause with loss payable to Mortgagee. Any sums so received by Mortgagee may be used to pay for reconstruction of the destroyed improvements or if not so applied may be applied, at the option of Mortgagee, in payment of any indebtedness matured or unmatured secured by this mortgage.
- (3) To keep all buildings, fixtures, attachments, and other improvements now on or hereafter placed on the property occupied and in good repair, maintenance, and condition and to neither commit nor permit any acts of waste or any impairment of the value of the property. Mortgagee may enter upon the property to inspect the same or to perform any acts authorized herein or in the loan agreement(s).
- (4) In the event Mortgagor(s) fails to pay any liens, judgments, assessments, taxes, rents, fees, or charges or maintain any insurance on the property, buildings, fixtures, attachments, or improvements as provided herein or in the loan agreement(s), Mortgagee, at its option, may make such payments or provide insurance, maintenance, or repairs and any amounts paid therefor will become part of the principal indebtedness secured hereby, be immediately due and payable and bear interest at the default rate provided in the note(s) from the date of payment until paid. The advancement by Mortgagee of any such amounts will in no manner limit the right of Mortgagee to declare Mortgagor(s) in default or exercise any of Mortgagee's other rights and remedies.
- (5) In the event Mortgagee is a party to any litigation affecting the property or the lien of this mortgage, including any action by Mortgagee to enforce this mortgage or any suit in which Mortgagee is named a defendant (including condemnation and bankruptcy proceedings) Mortgagee may incur expenses and advance payments for abstract fees, attorneys fees (to the extent allowed by law), costs, expenses, appraisal fees, and other charges and any amounts so advanced will become part of the principal indebtedness secured hereby, be immediately due and payable and bear interest at the default rate provided in the note(s) from the date of advance until paid.
- (6) Any awards made to Mortgagor(s) or their successors by the exercise of eminent domain are hereby assigned to Mortgagee; and Mortgagee is hereby authorized to collect and apply the same in payment of any indebtedness, matured or unmatured, secured by this mortgage.
- (7) In the event Mortgagor(s) defaults in the payment when due of any sums secured hereby (principal, interest, advancements, or protective advances), or fails to perform or observe any covenants and conditions contained herein, in the note(s), loan agreement(s), or other instrument(s), or any proceeding is brought by or against Mortgagor(s) under any bankruptcy laws, Mortgagee, at its option, may declare the entire indebtedness secured hereby to be immediately due and payable and the whole will bear interest at the default rate as provided in the note(s) and Mortgagee may immediately foreclose this mortgage or pursue any other remedy at law or equity, including foreclosure by advertisement with a power of sale in Mortgagee to the extent provided by applicable law. Delay by Mortgagee in exercising its rights upon default will not be construed as a waiver thereof and any act of Mortgagee waiving any specific default will not be construed as a waiver of any future default. If the proceeds under such sale or foreclosure are insufficient to pay the total indebtedness secured hereby, Mortgagor(s) does hereby agree to be personally bound to pay the unpaid balance, and Mortgagee will be entitled to a deficiency judgment.
- (8) Upon default, Mortgagee will at once become entitled to exclusive possession, use, and enjoyment of the property and to all rents, issues, crops, profits, and income thereof, from the time of such default and during the pendency of foreclosure proceedings and the period of redemption, the delivery of which may be enforced by Mortgagee by any appropriate suit, action, or proceeding. Mortgagee will be entitled to a Receiver for the property and all rents, issues, crops, profits, and income thereof, without regard to the value of the property, or the sufficiency thereof to discharge the mortgage debt and the foreclosure costs, fees, and expenses. Such Receiver may be appointed by any court of competent jurisdiction upon ex parte application, notice being hereby expressly waived. The Receiver will apply all rents, issues, crops, profits, and income of the property to keep the same in good repair and condition, pay all taxes, rents, fees, charges, and assessments, pay insurance premiums necessary to keep the property insured, pay the expense of the receivership and attorney fees incurred by the Receiver, and apply the net proceeds to the payment of the indebtedness secured hereby. Such Receiver will have all the other usual powers of receivers authorized by law and as the court may direct.
- (9) The integrity and responsibility of the Mortgagor(s) constitutes a part of the consideration for the obligations secured hereby. Should Mortgagor(s) sell, transfer, or convey the property described herein without prior written consent of Mortgagee, Mortgagee, at its option, may declare the entire indebtedness immediately due and payable and may proceed in the enforcement of its rights as on any other default.
- (10) Assignment of Rents including Proceeds of Mineral Leases. Mortgagor(s) hereby assigns, transfers, and conveys to Mortgagee all rents, royalties, bonuses, and delay moneys or other proceeds that may from time to time become due and payable under any real estate lease or under any oil, gas, gravel, rock, or other mineral lease of any kind including geothermal resources now existing or that may hereafter come into existence, covering the property or any part thereof. All such sums so received by Mortgagee will be applied to the indebtedness secured hereby; or Mortgagee, at its option, may turn over and deliver to Mortgagor(s) or their successors in interest, any or all of such sums without prejudice to any of Mortgagee's rights to take and retain future sums, and without prejudice to any of its other rights under this mortgage. This assignment will be construed to be a provision for the payment or reduction of the mortgage debt, subject to Mortgagee's option as hereinbefore provided, independent of the mortgage lien on the property. Upon payment in full of the mortgage debt and the release of this mortgage of record, this assignment will become inoperative and of no further force and effect.
- (11) Redemption Period. If the property described herein is less than ten acres in size and if Mortgagee waives in any foreclosure proceeding any right to a deficiency judgment against Mortgagor(s), then the period of redemption from judicial sale will be reduced to six months. If the court finds that the property has been abandoned by Mortgagor(s) and if Mortgagee waives any right to a deficiency judgment against Mortgagor(s), then the period of redemption from judicial sale will be reduced to sixty days. In addition, if the property described herein is the residence of Mortgagor(s) at the time of foreclosure, but the court finds that after foreclosure the property has ceased to be the residence of Mortgagor(s), then the period of redemption will be reduced to thirty days from the date of a court order so stating. The provisions of this paragraph will be construed to conform to the provisions of Sections 628.26, 628.27, and 628.28 of the Code of Iowa.
- (12) The covenants contained in this mortgage will be deemed to be severable; in the event that any portion of this mortgage is determined to be void or unenforceable, that determination will not affect the validity of the remaining portions of the mortgage.

Leonard John Gosch  
Leonard John Gosch

Noreen N. Gosch  
Noreen N. Gosch

STATE OF IOWA

COUNTY OF DALLAS } ss.

On this 9th day of April, A.D., 19 91, before me, a Notary Public, personally appeared Leonard John Gosch and Noreen N. Gosch

to me known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

(SEAL)



Daniel J. Wilhelm  
Daniel J. Wilhelm  
Notary Public in and for said County and State

My commission expires 5-12-94

THIS SPACE FOR USE OF MORTGAGE ONLY:  
LOAN NUMBER(S):

IOWA MORTGAGE  
FROM \_\_\_\_\_  
TO \_\_\_\_\_  
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
Filed for record the \_\_\_\_\_ day \_\_\_\_\_, A.D., 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and \_\_\_\_\_ of \_\_\_\_\_  
Mortgages on Page \_\_\_\_\_ of the Real Estate Mortgage Records,  
County Recorder/Registrar of Deeds \_\_\_\_\_  
By \_\_\_\_\_ Deputy  
WHEN RECORDED, RETURN TO  
Farm Credit  
Box 520  
Herry IA 50220

BOOK 666 PAGE 15 BOOK 250 PAGE 252

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

AFFIDAVIT OF FINAL OFFER

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

Parcel No. 21A

On this the 7 day of July, 1995, comes the Iowa Department  
of Transportation and states, as by law provided, that the most recent offers made the  
owners lienholders, encumbrances and other persons interested in the appropriation of  
certain specified rights in certain land as described by the Applicant in the Notice of  
Condemnation filed in the above matter are as follows:

(Names as on Notice)

\$ 59,736.00

Leonard John Gosch  
Noreen N. Gosch  
United States Bankruptcy Court for the Southern District of Iowa  
AgAmerica, FCB  
Dallas County Treasurer

IOWA DEPARTMENT OF TRANSPORTATION

Robert L. North  
Right of Way Director

By: Linda R. Martens  
Condemnation Agent



Subscribed and sworn to before me this 7th day of July, 1995.

Carolyn D. Cooley

(Notary Public)  
in and for said County and State  
(Clerk of Court)

Filed in my office at Adel, Iowa, this 7th day of July, 1995.

Arthur Johnson  
Sheriff of Dallas County, Iowa

BOOK 8 PAGE 353

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

REPORT OF  
COMPENSATION  
COMMISSION

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

TO: Arthur Johnson, Sheriff of Dallas County, Iowa

We, the undersigned, being duly appointed and qualified Commissioners appointed to  
assess the damages sustained by the owners, lienholders, encumbrances and other persons  
interested in the appropriation of certain specified rights as set forth and described in  
the Notice of Condemnation filed in the above entitled matter respectfully report as  
follows:

That we proceeded to view the respective premises at the time or times fixed in the  
notice to persons interested therein and do hereby assess and appraise the damages which  
the respective persons will sustain by reason of the appropriation as follows:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
PARCEL 21A -	\$	\$	\$	\$
Leonard John Gosch;	\$	\$	\$259,736.00	\$
Noreen N. Gosch;	\$	\$	\$	\$
United States Bankruptcy	\$	\$	\$	\$
Court for the Southern	\$	\$	\$	\$
District of Iowa;	\$	\$	\$	\$
AgAmerica, FCB;	\$	\$	\$	\$
Dallas County Treasurer	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Respectfully reported at Adel, Iowa, this 2<sup>nd</sup> day of July, 19 95.

Samuel  
Pat B. Manning  
Karin J. Ingold

Leslie M. Reynolds  
Carl L. Lott  
Dennis Halling

I certify that the above amounts are legally payable to each claimant and that the  
claim is correct and just and that payment has not been received.

Filed in my office at Adel, Iowa, this 2<sup>nd</sup> day of July, 19 95.

Arthur Johnson By Chris Hird Deputy Sheriff  
Arthur Johnson  
Sheriff of Dallas County, Iowa

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the improvement of

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

ENDORSEMENT OF SHERIFF  
OF MAILING OF NOTICE OF  
APPRAISEMENT OF DAMAGES  
AND TIME FOR APPEAL

The undersigned hereby endorse and certify that a true copy of the Notice of Appraisement of Damages and Time for Appeal was served upon each of the parties of this proceeding, as listed herein, by enclosing said Notice in an envelope addressed to each such party at their respective last known mailing address as disclosed by the record in the Application to the Chief Judge (excepting those parties, if any, listed below), with postage prepaid, and by depositing said envelope in a United States Post Office depository in Adel, Iowa, on the 2<sup>nd</sup> day of July, 19 95.

Arthur Johnson  
Arthur Johnson  
Sheriff of Dallas County, Iowa

In the Matter of the Condemnation  
of Certain Rights in Land by the  
Iowa Department of Transportation  
for the Improvement of

NOTICE OF APPRAISEMENT  
OF DAMAGES AND TIME  
FOR APPEAL

Primary Road No. 141 south  
of the City of Woodward  
located in Dallas County, Iowa

Project No. STP-141-6(37)--2C-25 Group "G"

Parcel No. 21A

TO:	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
Leonard John Gosch;	\$	\$	\$	\$
Noreen N. Gosch;	\$	\$	\$ 59,736.00	\$
United States Bankruptcy	\$	\$	\$	\$
Court for the Southern	\$	\$	\$	\$
District of Iowa;	\$	\$	\$	\$
AgAmerica, FCB;	\$	\$	\$	\$
Dallas County Treasurer	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

NOTE:

If Owner-Occupied Dwelling is acquired: Value of Condemnees' Dwelling \$  
Value of Land and Improvements other than Condemnees' Dwelling \$

You and each of you are hereby notified that on the 7th day of July,  
1995, the duly appointed and qualified commissioners assessed and appraised the damages  
sustained by reason of the condemnation as set out above, and that pursuant to the Code of  
Iowa, you may within (30) days from the date of mailing this Notice, appeal to the District  
Court as by law provided.

Signed this 7 day of July 1995

Arthur Johnson  
Sheriff of Dallas County, Iowa

BOOK 8 PAGE 356



## Iowa Department of Transportation

800 Lincoln Way, Ames, Iowa 50010 (515) 239-1213

July 14, 1995

Arthur Johnson  
Dallas County Sheriff  
P.O. Box 229  
Adel, Iowa 50003

RE: Dallas County Condemnation STP-141-6(37)--2C-25 "G"

Dear Sheriff Johnson:

Enclosed are the warrants covering the awards in the above-captioned condemnation proceeding. Please hold these warrants until thirty (30) days have elapsed since the date of mailing the NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL. You may notify the condemnees that the warrants are now on deposit in your office.

At the end of the 30 day period which expires on August 7, 1995, please forward the original of the following papers to the County Recorder for recording

1. "CERTIFIED TRUE COPY" of the APPLICATION TO THE CHIEF JUDGE
2. SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONERS
3. SUPPLEMENTARY ORDER APPOINTING ALTERNATE COMPENSATION COMMISSIONERS or substitute compensation commissioners (if any) including all orders from the Chief Judge appointing them and summons served on them.
4. The signed copy of the SUMMONS TO COMMISSIONERS for each original, alternate or substitute commissioner.
5. OATH OF COMMISSIONERS which must have an original signature from each commissioner. Their signature must be acknowledged by a Notary Public or Clerk of District Court (Section 6B.7 of the Code of Iowa).
6. The signed copy of the SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS
7. CONDEMNATION COMMISSIONER'S STATEMENT, one signed statement from each commissioner.



Page 2


8. ALL NOTICES OF CONDEMNATION and Returns of Service.
9. PROOF OF PUBLICATION (if there have been any publications) as well as all AFFIDAVITS in connection therewith.
10. AFFIDAVIT OF FINAL OFFER.
11. REPORT OF COMPENSATION COMMISSION (with the ENDORSEMENT OF SHERIFF OF MAILING OF NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL contained on the reverse (side) signed by each commissioner and certified by the Sheriff (Section 6B.14 of the Code of Iowa).
12. NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL endorsed by the Sheriff. (Section 6B.18 of the Code of Iowa).
13. All other papers filed in connection with said proceedings and a written statement by the Sheriff of all monies received in payment of damages, from whom received, and to whom paid, and the amount paid to each claimant and reference to the recording of the Original Certified Application for condemnation by book and page or instrument number and the date of recording.

DO NOT DISBURSE ANY WARRANTS FOR PARCELS THAT HAVE BEEN APPEALED. In the event an appeal is filed, it will be necessary for the court to order any disbursement of funds.

All fees for recording of papers should be mailed directly to this office for payment. Please request the Recorder to use the enclosed Recording Data Sheet in submitting her bill for the recording of these papers. If you should have any further questions, please contact this office at (515) 239-1029.

Sincerely,

ROBERT L. NORTH  
Right of Way Director

  
Bernie Jorgensen  
Condemnation Supervisor  
Office of Right of Way

Enclosures

cc County Recorder  
Clerk of Court  
County Treasurer

BOOK 8 PAGE 358

Sheriff Johnson  
July 14, 1995  
Page 3

RE: Dallas County Condemnation STP-141-6(37)--2C-25 "G"  
Parcel 21A, Hearing July 7, 1995

WARRANT NO.	PAYEES	AMOUNT
05410980	Leonard John Gosch; Noreen H. Gosch; United States Bankruptcy Court for the Southern District of Iowa; AgAmerica, FCB; Dallas County Treasurer	\$59,736.00

cc: Condemnation Unit  
Resident Construction Engineer  
District Engineer  
Bob Oglesby  
Doug Bates  
Bill Abbott  
Bernie Banker



## *Dallas County Sheriff's Office*

Arthur L. Johnson, Sheriff

August 7, 1995

Received of Dallas County Sheriff, check #5410980 from State of Iowa in the amount of \$59,736.00 dated 7-12-95 made payable to Leonard John Gosch, Noreen N. Gosch; United States Bankruptcy Court for the Southern District of Iowa; Agamerica, FCB; , Dallas County Treasurer.

Leonard J. Gosch

Date 8-7-95

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Administration 515-993-4771

201N. 8th., P.O. Box 229, Adel, Iowa 50003

FAX 515-993-4569